# Official Report

# West Bengal Legislative Assembly

Fourth Session (September-November), 1951

(From 17th September to 2nd November, 1951)

The 17th, 18th, 19th, 20th, 21st, 24th, 25th, 26th, 27th and 18th September and 1st, 3rd, 4th, 25th, 26th, 30th and 31st October and 1st and 2nd November, 1951.

#### COVERNMENT OF WEST BENCAL.

#### GOVERNOR.

## i'm -

His Excellency Dr. KAILAS NATH KATJU.

#### MEMBERS OF THE COUNCIL OF MINISTERS.

- The Hon'ble Dr. Bidhan Chandra Roy, Chief Minister, Leader of the house, and Minister-in-charge of the Departments of Home (excluding Defence-National Volunteer Force), Medical and Public Health, Refugee Rehabilitation, and Commerce and Industries.
- The Hon'ble Nalini Ranjan Sarker, Minister-in-charge of the Department of Finance (excluding Excise).
- The Hon'ble Rai HARENDRA NATH CHAUDHURI, Minister-in-charge of the Departments of Education, and Land and Land Revenue (excluding the Aboriginals and Backward Classes Branch).
- The Hon'ble Pratula Chandra Sen, Minister-in-charge of the Department of Food, and Agriculture and Veterinary Branches of the Department of Agriculture, Forests and Fisheries.
- The Hon'ble Jadabendra Nath Panja, Minister-in-charge of the Department of Local Self-Government.
- The Hon'ble Bimal Chandra Sinha, Minister-in-charge of the Department of Works and Buildings.
- The Hon'ble Nikunja Behari Maiti, Minister-in-charge of the Department of Supplies.
- The Hon'ble Niharendu Dutt-Mazumdar, Minister-in-charge of the Judicial and Legislative Departments, Aboriginals and Backward Classes Branch of the Department of Land and Land Revenue.
- The Hon'ble Kalipada Mookerji, Minister-in-charge of the Department of Labour.
- The Hon'ble Bhupati Majumdar, Minister-in-charge of the Departments of Irrigation and Waterways, and Home (Defence-National Volunteer Force).
- The Hon'ble Hem Chandra Naskar, Minister-in-charge of the Forests and Fisheries Branches of the Department of Agriculture, Forests and Fisheries.
- The Hon'ble Syama Prasan Barman, Minister-in-charge of the Excise Branch of the Department of Finance.
- The Hon'ble Dr. RAFIUDDIN AHMED, Minister-in-charge of the Department of Co-operation, Credit, Relief and Rehabilitation.

# WEST BENGAL LEGISLATIVE ASSEMBLY

#### PRINCIPAL OFFICERS.

SPEAKER.

The Hon'ble Iswar Das Jalan.

DEPUTY SPEAKER.

Sj. ASHUTOSH MALLICK.

SECRETARY.

Sj. Ajita Ranjan Mukherjea, m.sc., b.l.

SPECIAL OFFICER.

Sj. CHARU CHANDRA CHOWDHURI, B.L., ADVOCATE.

REGISTRAR.

JANAB RAFIQUR RAHMAN, M.A., B.L.

#### ALPHABETICAL LIST OF MEMBERS.

#### A

Abdul Aziz Ansari, Janab Mahammad. [Muslim Chamber of Commerce.]
Abdul Wahid Sarkar, Janab. [Hooghly.]
Abdulla, Janab S. M. [24-Parganas Municipal.]
Abdus Shokur, Janab. [24-Parganas Central.]

B

Badrudduja, Janab Syed. [Jangipur.]
Bandyopadhyay, Sj. Pramatha Nath. [Midnapore South-West.]
Banerjee, Sj. Sibnath. [Howrah (Registered Factories).]
§Banerjee, Sj. Sushil Kumar. [Howrah.]
Banerji, Dr. Suresh Chandra. [Calcutta and Suburbs (Registered Factories).]

Barman, The Hon'ble Syama Prasad, [West Dinajpur-cum-Malda.]

Basu, Sj. Hemanta Kumar. [Calcutta North.]

Basu, Sj. Jyoti. [Railway Trade Union.]

Bhandari, Sj. Charu Chandra. [24-Pargahas North-West.]

Bhattacharyya, Sj. Shyamapada. [Murshidabad.]

Bhowmick, Sja. Bina. [Calcutta General.]

Bose, Sja. Bivabati. [Calcutta South.]

Brahmin, Sj. Ratanlal. [Darjeeling Sadar.]

#### C

Chakravarty, Sj. Satish Chandra. [Northern District Municipal.]

Chatterjee, Sj. Haripada. [Nadia.]

Chaudhuri, The Hon'ble Rai Harendra Nath. [Bankura East.]

Choudhury, Sj. Annada Prosad. [Jhargram-cum-Ghatal.]

Clarke, Mr. C. E. [Calcutta Trades Association, Indian Jute Mills Association, Indian Tea Association and Indian Mining Association.]

#### D

Das, Sj. Radha Nath. [Hooghly North-East.]

Das Gupta, Sj. Khagendra Nath. [Jalpaiguri-cum-Siliguri.]

\*Dass, Sj. Kanailal. [Burdwan Central.]

De, Sj. Kanai Lal. [Bankura West.]

\*Dolui, Sj. Harendra Nath. [Jhargram-cum-Ghatal.]

Dutt-Mazumdar, The Hon'ble Niharendu. [Barrackpore (Registered Factories).]

#### G

Ganguli, Sj. Bepin Behari. [24-Parganas Municipal.]

Gayen, Sj. Arabinda. [Howrah.]

Ghose, Sj. A. K. [Bengal National Chamber of Commerce.]

Ghose, Sj. Bimal Comar. [Bengal National Chamber of Commerce.]

Ghose, Dr. P. C. [Birbhum.]

Golam, Hamidur Rahman, Janab. [West Dinajpur.]

Gomes, Mr. D. [Calcutta-cum-Presidency Division.]

Gupta, Sj. J. C. [Calcutta South Central.]

#### H

Haldar, Sj. Kuber Chand. [Murshidabad.] Husan Ara Begum, Janab. [Murshidabad.]

#### ı

†Jalan, The Hon'ble Iswar Das. [Calcutta West.] Jasimuddin Ahmed, Mr. [24-Parganas South.]

> \*Parliamentary Secretary. †The Hon'ble Speaker.

K

Kazem Ali Mirza, Shahibzada Kawan Jah Saiyid. [Murshidabad South-West.]

Khuda Bukhsh, Janab Md. [Berhampore.]

M

Mahammad Kased Ali. [24-Parganas North-East.]

Mahammad Syeed Mia, Janab. [Malda.]

Mahanty, Sj. Charu Chandra. [Midnapore Central.]

Mahtab, Sj. Uday Chand, Maharajadhiraj Bahadur of Burdwan.
[Burdwan Landholders.]

Maiti, The Hon'ble Nikunja Behari. [Burdwan Division North Municipal.]

\*Majhi, Sj. Nishapati. [Birbhum.]

Majumdar, The Hon'ble Bhupati. [Hooghly-cum-Howrah Municipal.]

Mal, Sj. Iswar Chandra. [Midnapore South-East.]

†Mallick, Sj. Ashutosh. [Bankura West.]

Mandal, Sj. Annadaprasad. [Burdwan North-West.]

\*Mandal, Sj. Bankubehari. [Burdwan North-West.]

\*Mandal, Sj. Krishna Prasad. [Midnapore Central.]

Mandal, Sj. Umesh Chandra. [Cooch Behar.]

Misra, Sj. Sowrindra Mohan. [West Dinajpur-cum-Malda.]

Mohammad Rafique, Shaikh. [Calcutta North.]

Mohammad Hossain, Dr. [Burdwan.]

Molla Mohammad Abdul Halim, Janab. [Nadia.]

Mookerjee, The Hon'ble Kalipada. [Calcutta East.]

Mudassir Hossain, Janab. [Birbhum.]

Muhammad Idris, Janab. [Howrah.]

Muhammad Qumruddin, Janab. [Barrackpore Municipal.]

Muhammad Siddique, Dr. Syed. [Bankura.]

Mukherji, Sj. Dhirendra Narayan. [Hooghly North-East.]

Murarka, Sj. Basantlal. [Calcutta Central.]

Musharruff Hossain, Janab. [Jalpaiguri-cum-Darjeeling.]

N

Nandy, Maharaja Sris Chandra. [Presidency Landholders.]

\*Naskar, Sj. Ardhendu Sekhar. [24-Parganas North-West.]

Naskar, The Hon'ble Hem Chandra. [24-Parganas South-East.]

Þ

Panja, The Hon'ble Jadabendra Nath. [Burdwan Central.] Pentony, Mr. L. R. [Anglo-Indian.]

<sup>\*</sup>Parliamentary Secretary.

# ALPHABRTICAL LIST OF MEMBERS.

Platel, Mr. R. E. [Anglo-Indian.] •

Poddar, Sj. Anandilal. [Marwari Association.]

Pramanik, Sj. Rajani Kanta. [Midnapore East.]

R

Rafiuddin Ahmed, the Hon'ble Dr. [Hooghly-cum-Howrah Municipal.]

Rai, Sj. Sheo Kumar. [Darjeeling.]

Ricketts, Mrs. E. M. [Anglo-Indian.]

Roy, The Hon'ble Dr. Bidhan Chandra. [University.]

Roy, Sj. Jajneswar. [Jalpaiguri-cum-Siliguri.]

Roy Sarkar, Sj. Birendranath. [Jalpaiguri-cum-Siliguri.]

Roy Singh Sarker, Sj. Satish Chandra. [Cooch Behar.]

8

Sarker, The Hon'ble Nalini Ranjan. [Indian Chamber of Commerce.]

Sen, Sj. Debendra Nath. [Colliery (Coal Mines).]

Sen, The Hon'ble Prafulla Chandra. [Hooghly South-West.]

Serajuddin Ahammad, Janab. [Midnapore.]

\*Shamsul Huq, Janab. [Calcutta South.]

Sinha, The Hon'ble Bimal Chandra. [24-Parganas South-East.]

#### W

Walker, Mr. J. R. [Bengal Chamber of Commerce.] Wilks, Mr. G. C. D. [Anglo-Indian.]

Z

Zaman, Janab A. M. A. [Hooghly-cum-Serampore (Registered Factories).]

<sup>\*</sup>Parliamentary Secretary.

## THE WEST BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

#### Official Report of the Fourth Session.

#### Volume—IV.

# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India

THE ASSEMBLY met in the Assembly House, Calcutta, on the 17th September, 1951, at 4 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 12 Hon'ble Ministers and 66 members.

#### Oath.

The following persons took the oath or affirmation of allegiance:-

- (1) Sja. Bivabati Bose,
- (2) Sj. Hemanta Kumar Basu, and
- (3) Janab Muhammad Abdul Aziz Ansari.

#### Obituary.

Mr. SPEAKER: Before I start the proceedings of the House, it is my painful duty to refer to the death of Sir Hari Sankar Paul. He was a member of our Assembly from 1937 to 1945. He was also a member of the old Legislative Council from 1933 to 1937. He was a distinguished member of our Assembly and Council and of the Calcutta Corporation for a large number of years and was also elected Mayor of the Calcutta Corporation. He was also connected with a number of civic and charitable organisations in the city. His main field of activity was, however, in commerce and trade in which he rose to a very prominent position in Bengal. The province has been poorer by his death in this sphere of life. I do hope you will join with me in condoling his death, and I would request you, ladies and gentlemen, to rise in your seats.

(The members rose in their seats.)

Thank you, ladies and gentlemen. The Secretary will do the needful.

#### Panel of Chairmen.

Mr. SPEAKER: In accordance with the provisions of rule 7 of the West Bengal Legislative Assembly Procedure Rules I nominate the following members of the Assembly to form a panel of four Chairmen for the ensuing session:—

- (1) Dr. P. C. Ghosh,
- (2) Sj. J. C. Gupta,

- (3) Janab Mudassir Hossain, and
- (4) Janab Husan Ara Begum.

Unless otherwise arranged, the senior member among them present in the above order will preside over the deliberations of the Assembly in my absence and in the absence of the Deputy Speaker.

#### Resignation of Janab Abdur Rahman Siddiqi as member.

Mr. SPEAKER: I have also to inform the House that Janab Abdur Rahman Siddiqi has by writing under his hand resigned his seat as member of the West Bengal Legislative Assembly from the Muslim Chamber of Commerce Constituency on the forenoon of the 15th August, 1951.

#### Point of Privilege.

- 8j. JYOTI BASU: On a point of privilege, Sir. I have been noticing in the papers that there is a warrant of arrest against Sj. Ratan Lal Brahmin. I do not know whether he has been arrested. Have you, Sir, got any information from the Government about him?
- Mr. SPEAKER: We have not received any information. I shall look into the matter.
- 8j. JYOTI BASU: Sir, the Hon'ble Chief Minister is here and, I think, he can enlighten us, as it concerns a member of this House.
- Mr. SPEAKER: You shall get information in due course. I shall try to ascertain the fact.

#### STARRED QUESTIONS

(to which oral answers were given)

#### Gratuitous relief to Muslims who suffered in 1950 disturbances

- \*1. (SHORT NOTICE.) Janab MAHAMMAD KASED AL! (a) Will the Hon'ble Minister in charge of the Co-operation, Credit, Relief and Rehabilitation Department be pleased to state—
  - (i) what is the total amount spent for gratuitous relief, if any, to the Muslims who suffered during the disturbances in 1950; and
  - (ii) whether any amount was spent for gratuitous relief through private individuals?
- (b) If the answer to (a)(ii) be in the affirmative, will the Hon'ble Minister be pleased to state—
  - (i) the names of those persons;
  - (ii) whether the accounts of the amounts spent through private individuals were received from them and audited;

- (iii) whether any irregularities have been noticed in those accounts; and
- (iv) if so, the names of such persons and the amounts involved in respect of such irregularities?

# MINISTER in charge of the CO-OPERATION, CREDIT, RELIEF and REHABILITATION DEPARTMENT (the Hon'ble Dr. Raffuddin Ahmed): (a) (i) Rs. 8,56,030-7-3 (up to 31st March, 1951).

- (ii) Yes.
- (b) (i) (1) Janab Md. Khuda Bukhsh, M.L.A., 12, Amir Ali Avenue.
- (2) Janab Jaimuddin, Park Circus Relief Committee.
- (3) Janab Hazi Mamtazuddin and Md. Sahid, Muslim Relief Committee, Zacharia Street.
- (4) Sri Jnananjan Neogy's Congress Seva Dal, 1/5, Raja Dinendra Street.
- (5) Sri Gopal Chandra Mitra's Congress Seva Dal, 7, Netaji Subhas Bose Road, Tollygunj.
  - (6) Sri P. K. Ghosh, 57, Diamond Harbour Road.
  - (7) Janab Akbar Hossain, Garden Reach Relief Committee.
  - (8) Dr. M. A. Ayub, 136, Paharpur Road, Metiabruz.
  - (9) Sri R. N. Chatterjee, 28, Garden Reach Road.
- (10) Janab Q. B. Rahman and Sri K. L. Chawla, 39, Mominpur Road, Mominpur Relief Committee.
  - (11) Janab S. M. Siddique, 37, Phool Bagan Lane.
- (12) Mr. D. Pereira, 37, Taltala Lane, and Sri Rajani Mookherjee, Labour Relief Committee.
- (13) Sri Ardhendu Chatterjee's Congress Seva Dal, P.30, Narkeldanga Main Road.
- (14) Sri Bejoy Krishna Das Gupta, South Tangra Road, Cottage Tanning Institute.
  - (15) Sri Ramananda Das, 12, Arpuli Lane.
  - (16) Janab Hamidur Rahman, M.L.A., 10B, Patua Bagan Lane.
  - (17) Janab Md. Muslim, 1/6, Jiban Krishna Ghosh Road.
- (18) Sri Bejoyananda Chatterjee, 1, Joynarayan Santra Lane, Howrah District Congress Committee.
- (ii) (1) Nos. (2), (3), (5) and (14) have submitted complete accounts and they have been audited.
- (2) Nos. (1), (4), (6), (7), (8), (10), (13), (15), (17) and (18) have ubmitted incomplete accounts which have also been audited.
  - (3) Nos. (9), (11), (12) and (16) have not submitted any accounts.
  - (iii) Yes.
  - (iv) A statement furnishing the information is laid on the Table.

Bidement referred to in reply to clause (iv) of short notice starred question No. 1, showing the names of private individuals who submitted defective accounts in connection with distribution of gratuitous relief to riot-victims in Calcutta through them and also the amounts or quantities involved.

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(4) Dr. M. A. Ayub	312	0	0	12	0	0	:	:	312	•	0	12	0	0	: :	: _	4	_	٠ -	-	۹.	• :
(6) Janab Q. B. Rahman.	670	0	0	33	0	0	9	:	870	0	0	21	39		:	. 0	0 12	, •	, :	•	5	: :
(6) Sri Ardhendu Chatterjee.	17,000	0	0	722	0	0	2,970	:	10,414	00	0	472 16	16	•	2,873	48	•	0	91	2	<b>9</b> 0	8
(7) Sri Ramananda Das.	20	0	0	61	0	0	50	:	20	•	0	89	0	0	20	20	0	0	•	0	0	2
(8) Janab . Md. Muslim.	250	0	0	16	0	0	214	•	250	0	٠.	9	•	٥	214	6 10		•	•	0 10 14		:
(9) Sri Bejoyananda Chatterjee.	5,892	<b>x</b> 0	0	322	0	0	:	:	5,384	8	_	291	0	10	:	5,384	<b>8</b> 0	0	291	0		:

\*Cloth, garments and blankets,

Shaikh MOHAMAD RAFIQUE? Will the Hon'ble Minister be pleased to state the principle adopted by the Government in the selection of the names of persons which he has read out?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I can give the answer, because I am responsible for the selection of persons. In that emergency we had to choose everybody who was prepared to come forward and give help so far as relief to the population in different parts of the town was concerned.

Shaikh MOHAMAD RAFIQUE: Will the Hon'ble Minister be pleased to state if it is a fact that the Muslim Relief Society spent over Rs. 40,000 and submitted muster rolls for that amount and they were paid only Rs. 8,000?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have no information.

- 8j. JYOTI BASU: On a point of order, Sir. One of the Ministers has answered the question. Another Minister is getting up and answering supplementary questions.
- Mr. SPEAKER: Being the Chief Minister he is entitled to answer questions on behalf of every Minister.
- The Hon'ble Dr. BIDHAN CHANDRA ROY: There is another reason. My friend ought to remember—perhaps his memory has left him altogether—that Dr. Rafiuddin Ahmed was not here last year when the incidents happened. Therefore, it is only natural that I should answer the question.
- Shaikh MOHAMAD RAFIQUE: Will the Hon'ble Minister be pleased to state if the irregularities of those gentlemen whose names have been read out and who have not been able to submit their accounts have been condoned?
- The Hon'ble Dr. RAFIUDDIN AHMED: The matter is under consideration of Government.
- Dr. P. C. CHOSH: From the accounts—though we have not yet been able to study them—we see that the first name is Janab Khuda Bukhsh. Cash given was Rs. 84,443, but from the accounts rendered it is found that Rs. 34,410 is fully accounted for and Rs. 31,693 not fully accounted for. This gives a total of Rs. 65,000. What has happened to the remaining Rs. 19,000?
- The Hon'ble Dr. BIDHAN CHANDRA ROY: The fact that I have seen with regard to these accounts submitted by Mr. Khuda Bukhsh is this: that he employed certain agents during that period. Most of these men have moved on to Pakistan. It is very difficult to get any accounts of those persons although he showed to me the book in which the signature of every person who received money from him was given, but my Accounts Department feel that attempt should be made to try and get acquittance certificates from those who have received money which we have not yet been able to get.
- 8]. SIBNATH BANERJEE: মাননীয় বলীনহাপত বে information on the tables দিবেছেন ভাতে দেখা বাচেছ বে বাদের accounts defective হবেছে ভাদের সম্বন্ধ amount পেওয়া হবেছে কিছু বাদের সম্বন্ধ accounts defective হবনি ভাদের কড টাকা করে দেওয়া হবেছে সেটা দত্তা করে বাননীয় বলীবহাপর বলবেন কি ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice. I will give them.

**3].** DEBENDRA NATH GEN: With reference to answer (b)(4) will the Hon'ble Minister be pleased to state what was the total amount disbursed to Mr. Jnananjan Neogy?

The Hon'ble Dr. RAFIUDDIN AHMED: I want notice.

8j. DEBENDRA NATH SEN: With reference to answer 18(2) where it has been stated that Sri Jnananjan Neogy has submitted an incomplete account, will the Hon'ble Minister be pleased to state the nature of this incompleteness?

The Hon'ble Dr. RAFIUDDIN AHMED: Incomplete in the sense that the Accounts Department have gone into it and further particulars have been asked for.

Dr. P. C. CHOSH: Will the Hon'ble Minister be pleased to place before the House even this incomplete account?

The Hon'ble Dr. RAFIUDDIN AHMED: The incomplete accounts are being looked into by the Accounts Department and some particulars have been asked for. As soon as these are received, these will be placed before the House.

Dr. P. C. CHOSH: Mr. Speaker, Sir, I have asked categorically whether the Hon'ble Minister will be pleased to place before the House the incomplete account of Sri Jnananjan Neogy?

The Hon'ble Dr. RAFIUDDIN AHMED: My answer is this that the incomplete account cannot be submitted. The accounts have got to be seen into by the relevant authority, in this case by the Accounts Department. After this is done, we shall certainly place it before the House.

8j. DEBENDRA NATH SEN: In view of the reply given that even this incomplete accounts have been audited, will the Hon'ble Minister be pleased to place before us this audited incomplete accounts?

The Hon'ble Dr. RAFIUDDIN AHMED: The matter is being gone into by the Accounts Department and when they will submit a report, certainly we shall submit it before the House.

8j. JYOTI BASU: Will the Hon'ble Minister be pleased to state whether he knew that Janab Md. Khuda Bukhsh, M.L.A., would cross the floor before Rs. 84,000 was given to him?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I object to that statement.

Janab MD. KHUDA BUKHSH: Sir, I strongly object to that statement of Mr. Jyoti Basu.

Shaikh MOHAMAD RAFIQUE: Will the Hon'ble Minister be pleased to state if the Government intend to finally settle this matter before he goes out of office?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I will continue in office afterwards.

Shaikh MOHAMAD RAFIQUE: On a point of privilege, Sir. I wanted answer from the Hon'ble Minister-in-charge of relief.......

Mr. SPEAKER: Order, order. That is no point of privilege.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether Janab Md. Khuda Bukhsh chose such persons as agents who would fly to Pakistan?

Mr. SPEAKER: No, no. You cannot ask that question.

SJ. JYOTI BASU: Will the Hon'ble Minister be pleased to state whether he can get the names of the persons to whom relief was given and who have gone away to Pakistan?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I think my friend, Mr. Jyoti Basu, has made a mistake. I did not say that the men who were given relief had gone to Pakistan. Some of the men who were the agents—who have given relief—have gone to Pakistan.

Sj. JYOTI BASU: What are their names?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not know.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether he will be able to trace them?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not know where they are. I shall be very glad if he can trace them.

### Agricultural loans and advances given to different districts

\*2. 8j. UMESH CHANDRA MANDAL: Will the Hon'ble Minister in charge of the Co-operation, Credit, Relief and Rehabilitation Department be pleased to state the amount of agricultural loans and advances given to the different districts of the State last year?

MINISTER in charge of the CO-OPERATION, CREDIT, RELIEF and REHABILITATION DEPARTMENT (the Hon'ble Dr. Rafluddin Ahmed): A statement is laid on the Table.

Statement referred to in reply to starred question No. 2, showing agricultural loans and advances given to different districts during 1949-50

District.	_	Agricultural and land improvement loans.	Cattle purchase loan.	Total.
		$\mathbf{Rs}$ .	Rs.	Rs.
Burdwan		1,90,245	1,91,000	3,81,245
Birbhum		2,25,600	75,000	3,00,600
Bankura		4,77,020	55,000	5,32,020
Midnapore		6,68,575	2,90,000	9,58,575
Hooghly		1,83,200	83,000	2,66,200
Howrah		58,475	73,000	1,31,475
24-Parganas		2,08,083	1,20,000	3,28,083
Nadia		43,200	75,000	1,18,200
Murshidabad		1,99,792	93,000	2,92,792
Malda		20,840	48,500	69,340
West Dinajpur		66,000	30,500	96,500
Jalpaiguri		• •	25,000	25,000
Darjeeling	• •	• •	••	•••
Total	• •	23,41,030	11,59,000	35,00,030

8j. ANNADA PROSAD CHOUDHURY : নাননীয় মন্ত্ৰীমহাপৰ অনুপূহ কৰে বলবেন कি যে এই agricultural loans দেওবাৰ আগে যে পাছতি ছিল তাব কোন ব্যতিক্ৰম কয়। এবেছে কি না ?

The Hen'ble Dr. RAFIUDDIN AMMED: Agricultural loans খালে বে বৰণ নিৰ্দেশ পেওয়া হ'ড এখনত ভাই পেওয়া হয়।

sj. annada prosad choudhury: এখন कि এই রক্ষ নির্ব করা হরেছে বে, বে সকর Credit Banks security দিতে পারে তাদেরই কেবল loans দেওর। হচেছ।

The Hen'ble Dr. RAFIUDDIN AHMED: আপনি বে কথার উল্লেখ করেছেন সেটা জন্য জিনিয়। আনাগের Agricultural Credit loans বা পেওনা হর তার নিবন ভিনু রকন। কিছ agricultural and land improvement loans পুবের্ণর নিরমণ্ডই পেওনা হচেছ।

sj. Annada Prosad Choudhury: মাননীয় মন্ত্ৰীমহাণয় বলবেন কি যে agricultural loans and land improvement loans যা credit loans হিলাবে পূৰ্বে বেওলা হ'ত তাৰ কি কোনই ৰাজ্ঞিক হয়নি?

The Hon'ble Dr. RAFIUDDIN AHMED: 70 1

#### Food defloit in Murshidabad district

- \*3, SJ. SATISH CHANDRA CHAKRAVARTY: (a) Will the Hon'ble Minister in charge of the Food Department be pleased to state whether it is a fact that Murshidabad is a deficit district so far as food is concerned?
- (b) If the answer to (a) is in the affirmative, will the Hon'ble Minister consider the desirability of storing up in the district rice or paddy that are procured from the district and to make available to the district the total quantity of estimated deficit of rice or paddy before the rainy season when the food situation becomes acute?
- (c) In view of the fact that the prices of rice or paddy are still very high in many parts of the district will the Hon'ble Minister consider the desirability of making rice or paddy available to the people of worst affected parts of the district at the rate at which Government generally procure them?

MINISTER in charge of the FOOD DEPARTMENT (the Hon'ble Pratula Chandra Sen): (a) Mushidabad is almost self-sufficient in respect of cereals.

- (b) Quantities procured locally are being stored within the district and a total reserve of 20,000 maunds of rice and 80,000 maunds of paddy is being built up to meet any deficit in any area within the district.
- (c) Modified rationing is in force and distribution is made at a rate which is arrived at by adding to the procurement rates some incidental charges incurred up to the distribution point.
- 8j. GHARU GHANDRA BHANDARI : ঝাননীয় মহীমহাশায় অনুগ্রহ করে জানাবেন কি, তিনি বে (b)য় উত্তরে বলেছেন ২০ হাজার বণ চাল এবং ৮০ হাজার মণ ধান জেলার মধ্যে store করা হরেছে, সেটা জেলার কোন কোন ছানে store করা হরেছে ?

The Hon'ble PRAFULLA CHANDRA SEN : पार्व notice कार !

sj. JYOTI BASU: Will the Hon'ble Minister be pleased to state with regard to answer (c) what is the average price of rice in Murshidabad now?

The Hon'ble PRAFULLA CHANDRA SEN: I want notice.

8j. HARIPADA CHATTERSEE: बाननीय मबीयशांत्र क्यांतरन कि, त गरु क्यांत्रशांव modified rationing शरबाइ तिहै जनक क्यांत्रशांत वह चारन व्यवस्थ वह त्यांक rationing शरबाइ ना, इक्तां प्रकार वाक शरु शरु के कराइन ?

The Hon'ble PRAFULLA CHANDRA SEN: সকলে বাতে rationing পাল তার জন্ম আময়া বধাসাধ্য চেটা কবছি।

sj. JYOTI BASU: Will the Hon'ble Minister be pleased to state, without asking for notice, as to how many people have been covered by this modified rationing in Murshidabad

The Hon'ble PRAFULLA CHANDRA SEN: I want notice, I cannot tell you offhand.

Sj. CHARU CHANDRA BHANDARI: বাননীয় মন্ত্ৰীমহাপায় বলবেন কি, যে সমস্ত জিনিম গ store কৰা যায় তাৰ প্ৰতিটিই store কৰা আছে কি না গ

The Hon'ble PRAFULLA CHANDRA SEN: মাননীয় সদস্য মহাশয় জানেন যে গ্রামে ্রামে procurement করে যে সমস্ত জিনিছ রাধা হয়, সেগুলি গুদামে তুলতে একটু সময় লাগে। এখন এই September শাসে কোন জায়গায়ই ধান পড়ে নেই, সমস্ত তোলা হয়েছে এবং সেগুলি লোককে বিতরণ করা হচেছ ।

**Sj. DEBENDRA NATH SEN:** Will the Hon'ble Minister be pleased to state—I do not want him to say the actual quantity if he cannot—whether any quantity of rice or paddy has been stored.

The Hon'ble PRAFULLA CHANDRA SEN: It has been given in the answer and the relevant portion reads thus—".....and a total reserve of 20,000 maunds of rice and 80,000 maunds of paddy is being built up to meet any deficit in any area within the district.

Sj. CHARU CHANDRA BHANDARI : মাননীয় মন্ত্রীমহাশ্য অনুপ্রহ করে একটু compare কবে বলবেন কি, যে সমস্ত জায়গায় modified rationing হয়েছে ৷ সেখানে পূর্যে চালের দাম কি ছিল এবং বর্তমানে তা কত হয়েছে গ

The Hon'ble PRAFULLA CHANDRA SEN: আমি notice চাই ৷

sj. CHARU CHANDRA BHANDARI : মাননীয় মন্ত্রীমহাপ্য অনুগ্রহ করে বলবেন কি এই প্রস্তুত modified rationing areace চালেব দব প্রেবর চেয়ে কমেছে না বেডেছে গ

The Hon'ble PRAFULLA CHANDRA SEN: কোন কোন জায়গায় বেড়েছে জাবার কোন কোন জায়গায় চালের দর কমেছে।

8j. HARIPADA CHATTERJEE: মাননীয় মন্ত্রীমহাশয় কি স্বীকার করবেন এবং একথা কি সতা যে, যখন deficit districts rice procurement করে stored করা হয় তখন বলা হয় যে সেখানে modified rationing চালু করা হবে। কিন্তু কাহ্যিত: তা করা হয়নি গ

The Hon'ble PRAFULLA CHANDRA SEN : এটা একেবারে ভ্ল।

Sj. HARIPADA CHATTERJEE: মাননীয় বছীমহাণয় এ কথা কি জানেন বে বছ ভাবে modified ration দেওয়ার কথা ছিল. কিন্তু তা ঠিক্ষত দেওয়া হয়নি ?

The Hon'ble PRAFULLA CHANDRA SEN: त्यशास्त त्यवीदन त्यविदन त्यवीदन त्यविदन त्

Sj. HARIPADA CHATTERJEE: মাননীয় মন্ত্ৰীমহাপথ জানেন কি, নকৰীপের বছ কেক পথাহেব পর স্থাত কেনি ration পাচেছ না স

The Hon'ble PRAFULLA CHANDRA SEN: নেখানে শতকরা ১৯০৫ ভাগ কোকই modified ration পাচেছ।

- 8j. HARIPADA CHATTÉRJEE: (দটা) কাগছে কলমেই লেখা আছে। তারা সত্যি কোন ration পাচেছ না। এটা আমি নিজের দায়িছেই ধলছি—এটা সত্য—এ কথা কি মাননীয় মন্ত্রী-মহালয় অস্বীকার করছেন প
  - Mr. SPEAKER: That question does not arise.
- 8j. 8iBNATH BANERJEE: মাননীয় মন্ত্রীমহাশয় একটু আগেই বললেন যে, এই questionএর উত্তর আগেই লেখা হয়েছিল এবং আলকে যে উত্তর পড়ে শুনালেন তার কত per cent. সতা ?

The Hon'ble PRAFULLA CHANDRA SEN: ৰেটা পড়ে শুনান হল তা সংৰিৰ সত্য—তা cent. per cent. সত্য।

#### Supply of atta by the ration shops in Hooghly-Chinsura sub-area

- \*4. \$j. PRAMATHA NATH BANDOPADHYAY: Will the Hon'ble Minister in charge of the Food Department be pleased to state—
  - (a) whether the rationees are compelled to take atta along with their quota of wheat from Saturday, the 14th April, 1951, in A.R. Shops Nos. 17, 32 and others in the extended rationed areas of Hooghly-Chinsura;
  - (b) if so, whether rationees were previously intimated thereof;
  - (c) the reason why the system was not introduced from the beginning of a particular week;
  - (d) whether this system would continue long; and
  - (c) whether Government consider the desirability of-
    - (i) making supply of atta optional, and
    - (n) making available to the rationees at their respective ration shops copies of different orders issued from time to time by the Area Rationing authorities in respect of matters affecting the rationees?

# MINISTER in charge of the FOOD DEPARTMENT (the Hon'ble Prafulla Chandra Sen): (a) Yes.

- (b) No. No previous intimation is given to rationees regarding such minor changes in the supply of rations.
- (c) The stock position varies from time to time and the changes are given effect to taking into consideration the stock position at a particular time. In the present case the supply position regarding atta and whole wheat could be fully known and considered on Tucsday and hence the change could not be given effect from the beginning of the week.
  - (d) It has already been discontinued. Only wheat is now being issued.
- (e)(i) According to the Rationing Regulations, rationees are supplied cereal rations partly in rice and partly in wheat or wheat-products according to the availability of stocks. The question of making supply of atta optional does not arise.
- (n) As changes of the type mentioned above are not of general nature and occur only for a short while, publication of such changes is not considered practicable. Any general change in the scale of ration is, however, widely publicised in the papers.

#### Crimes in Lalbagh subdivision of Murshidabad district

- \*5. 8j. 8HYAMAPADA BHATTACHARYYA: Will the Hon'ble Minister in charge of the Home Department be pleased to state-
  - (a) the number of crimes in Ialbagh subdivision of the district of Murshidabad during the year 1948-49;
  - (b) whether any dacoities and highway robberies in thanas Nabagram and Sanardighi have not been detected during the said year; and if so, their number; and
  - (c) whether the Government consider the desirability of taking steps to combat such crimes?

# MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (a) Four hundred and fifty-two.

- (b) No case of dacoity or highway robbery in Nabagram thana was reported during the period. In Sagardighi thana of Jangipur subdivision, four cases of dacoity were reported, of which three were detected. There was no highway robbery in Sagardighi thana during the period.
- (c) As part of a concerted move for the whole of West Bengal, various measures for prevention and detection of crime are being taken in this area. Among other steps, village resistance parties are being organised, and anticrime meetings are being held to advise the people and secure local co-operation with the police in the efforts made by them to prevent and detect crime.

#### Crimes in Cooch Behar district

- \*6. SJ. UMESH CHANDRA MANDAL: Will the Hon'ble Minister in charge of the Home Department be pleased to state—
  - (a) number of robbery and dacoity cases in 1950 against such cases in 1949 in the district of Cooch Behar;
  - (b) number of those cases in which charge-sheets were submitted in 1950 against those in 1949;
  - (c) number of those cases in which conviction was held in 1950 against the number of such cases in 1949; and
  - (d) number of those cases pending now in 1951 against cases which were pending in 1950?

# MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy):

		Robbery.	Dacoity.
(a) 1949 1950		43 3 <b>7</b>	63 122
(b) 1949 1950		5 2	3 6
(c) 1949 1950	••	2	Nil
(d) 1950—	••	1	2 and so on.
Pending in Court Pending police investig	ation	Nil 8	
1951	,		
Pending in Court Pending police investig	gation	Nil 12	

- 8j. SIBNATH BANERJEE: On a point of order, Sir. The Hon'ble Minister cannot say, "And so on". He has read part of the answer and then said "And so on". If he says that his eye-sight is defective, we can well understand it.
  - Mr. SPEAKER: But the figures are all there in the printed answer.
- 8j. SIBNATH BANERJEE: That is not my point, Sir. According to our practice, he ought to have read the whole of it.
- Mr. SPEAKER: I quite understand that. The figures are there and you will not be prejudiced in putting supplementary questions.
- 8j. 8iBNATH BANERJEE: But it is our right to have the whole answer read out by the Hon'ble Minister.

#### The Hon'ble Dr. BIDHAN CHANDRA ROY: I will satisfy you.

Pending in Court		 Nil
Pending Police investigation	•••	 26
Pending in Court		 Nil
Pending Police investigation		 64

I hope Sibnath Babu is now satisfied.

#### Famine condition in Jalpaiguri District.

- \*(1) (a) (SHORT NOTICE) Sj. KHACENDRA NATH DAS CUPTA: (a) Will the Hon'ble Minister in charge of the Food Department be pleased to state if it is a fact—
  - (i) that famine condition is now prevailing in the district of Jalpaiguri;
  - (ii) that the price of rice is now varying between Rs. 50 to Rs. 80 per maund in different hats and bazars of the district; and
  - (iii) that the supply of foodstuff in the markets is less than the demand?
- (b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, his Department have so far taken to control the situation and with what results?

#### The Hon'ble PRAFULLA CHANDRA SEN: (a)(i) No.

- (ii) The retail price reported on 12th September, 1951, was Rs. 48 in Jalpaiguri Sadar and Rs. 42-8 in Alipur Duar.
- (iii) In order to meet any local deficiency in rice supplies, Government are giving foodgrains in the shape of rice, wheat and milo to 663,000 people, people.
  - (b) Does not arise.
- 8j. SIBNATH BANERJEE: Sir, the reply should have come to us either in print or in cyclostyle form. Therefore this question should be held over.
- Mr. SPEAKER: The position is this that this is a short-notice question about the famine condition prevailing in Jalpaiguri district regarding which some adjournment motions have come to me. The Government was prepared to give an answer but there was hardly any time to circulate the printed answer to the members. I would therefore ask the Minister concerned to repeat the answer if the members have not followed him properly.

Dr. SURESH CHANDRA BANÊRJI: (In a point of privilege, Sir. এই বে tactics গ্রন্থনেন্টের পকে, এটা বুবই আপত্তিজনক।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, it is not a question of tactics at all and this answer has nothing to do with tactics.

Dr. SURESH CHANDRA BANERJI: 1 think "tacties" is a parliamentary expression. আমাৰ কথা হচেছ—গভন্মেদেটৰ এই নীতি খুনই আপতিজনক। আমি যতপুৰ জানি, আমি এবং আমাৰ বন্ধু শিৰনাথ ব্যানাভি এই দুজন খান্য সহদে দুটা মুলতুৰী পুন্তাবেৰ নোটিশ দিয়েছিলাম । যে কোন কাৰণেই হউক আপনি সে মুলত্ৰী পুন্তাৰ move কৰবাৰ অনুমতি দেন নাই অখচ এই ব্যাপাৰটা অতি গুৰুত্ব। আপনাৰ সঙ্গে কোনে আমাৰ কথা হয়েছিল। তাতে একটা short notice question move কৰবাৰ opportunity আমাদেৰ দেখান।

Mr. SPEAKER: Mr. Banerji, here is a short-notice question sent in by a member of the House and every member, whether he is a member of the Government party or of the Opposition, is entitled to put in a shortnotice question. Now the point is that the Government is prepared to answer it but the difficulty is that the answer has not been printed and circulated. With regard to the non-circulation of the answer I may inform you that I have permitted the Minister to give this eral answer because members are anxious to know something about the famine condition in the Jalpaiguri district. As a matter of fact oral answers are also circulated beforehand in print and we print them for the sake of convenience of members. In this case also it could have been printed, had it been sent to us earlier. Now if you wish to put supplementary questions on this subject the Minister will read the answer once more so that you may properly catch it and put such supplementary questions as you desire. If you insist, however, that you must be supplied with cyclostyled copies of the answer, certainly I shall comply with your wishes and postpone putting supplementary questions tili tomorrow.

## 8j. SIBNATH BANERJEE: That would be much better, Sir.

- Mr. SPEAKER: But the answer is there that he has already made in the House. It you want to put supplementary questions I will not debar you from exercising that right. But because you are auxious to know about the famine condition in Jalpaiguri and especially on account of the adjournment motions before the House I have permitted the matter to be placed before the House. As regards your opportunity to put supplementary questions if you think that the answer must be circulated I will comply with your wishes because our practice has been to circulate such answer beforehand.
- 8j. KHACENDRA NATH DAS CUPTA: সভাপতি মহাশম, এই ব্যাপাবে প্রভ্রমেনেট্র tacticsর নীতি কি আছে জানি না। On a point of information আমি এই questionটা পাঠিমেছিলাম। (INTERRUPTIONS) আমি জলপাইওছিব ব্যাপার নিমেট এটা পাঠিমেছিলাম।
- Sj. BIMAL COMAR CHOSE: Sir, I do not object to your ruling that the answer to the question should be read out but as it has been the practice that answers should be circulated to us and as Sj. Sionath Banerjee has pointed out, supplementaries should be kept pending until the answer is circulated to us.
- Mr. SPEAKER: If you are anxious to put supplementary questions today you can do that, and if not, you can put supplementaries tomorrow. I cannot debar the Minister from giving an answer to a question that has been put.

8j. SIBNATH BANERJEE: মাননীর ধংগান দাবগুপ্ত মহাব্য এই পুশুটা adjournment motion দেবার আগে করেছেন না পরে করেছেন।

Si. KHACENDRA NATH DAS GUPTA: অনেক আগে করেছি।

Mr. SPEAKER: That question does not arise.

The Hon'ble Dr. BIDHAN CHANDRA ROY: In view of what Dr. Suresh Chandra Banerji has said it is only fair that Government should place the facts before the House. We got a short-notice question at 1-30 p.m. today and tried our level best to obtain the answer but there was not much time left for us to collect the answer to be given to the Secretary in time for printing and so on. Not only that, but I was prepared to make a statement because I felt that Government had nothing to hide in the matter of procurement and distribution of food If you so desire, Sir, you can postpone the matter and I shall make a statement tomorrow.

Dr. SURESH CHANDRA BANERJI: I am grateful to the Leader of the House for what he has said. কিন্তু আমি Speaker মহোদমকৈ একটা কথা বলতে চাই আমি যে বলেছি tactics. যে কথাটা যে কতথানি শত্য—

Mr. SPEAKER: I cannot allow you to have a discussion on the question of tactics in this connection. The plain and simple fact is that here is a short-notice question to which an answer has been given by Government. The only difficulty is that it has not been circulated. But I do not wish to deprive the members to have a printed or cyclostyled copy of that answer and for that purpose I have already stated that I am prepared to put off supplementaries till tomorrow and there cannot therefore be any further discussion on any other matter which is extraneous to the question and answer concerned. I would therefore ask the honourable members to refrain from further entering into the matter.

Dr. SURESH CHANDRA BANERJI: আচছা আচছা I withdraw.

Mr. SPEAKER: That is a point which cannot be raised at this stage. I quite appreciate that if you wish to say anything with regard to your adjournment motion you are entitled to do so at the proper time. But so far as this question is concerned here is the question and here is the answer to it. Only what is wanted now is a circulation of the printed answer. I will postpone the supplementaries till tomorrow and circulate the answer given in the mean time.

Dr. SURESH CHANDRA BANERJI: তবুও আপনার কথাব পরেও আমি সম্ভট্ছতে পারিনি। তিনদিন আরে আমি——

Mr. SPEAKER: Order, order, I will not allow any discussion.

Sj. HARIPADA CHATTERJEE: কিন্ত : Sir, questionটা ১-৩০ মিনিটেৰ সময় দেওমা হংমছে—adjournment motionএর পরে এটা হংমছে ; কাজে কাজেই এই নীতিব প্রণুটা ওঠে । কাবণ adjournmentএৰ notice দেবাৰ পৰে গভর্নমেন্টের তবফ থেকে জবাবের বাবস্থ হয়েছে।

Mr. SPEAKER: No, not at this moment.

Dr. P. C. CHOSH: I am grateful to the Hon'ble Chief Minister that he has nothing to hide about the food position in the State. Not merely in Jalpaiguri, but the food position is acute in some other parts of West Bengal also. Will the

Mr. SPEAKER: You will be pleased to realise that difficulty arises when you go into things extraneous to the matter which is before the House. If such things are allowed, then discussion takes place on those

matters and the whole thing is not permissible under the rules for the conduct of business of the House. Now, it is question time and if it is a question of privilege or if it is a question of order, such things can be raised, but nothing extraneous to that can be raised. There may be opportunities for criticising the action of the Government one way or the other, but that is not the occasion now. Therefore, I would request you—

- Dr. P. G. CHOSH: I am not referring to that. I am saying that the Chief Minister has said that he has nothing to hide about the food position. May I request the Government through you to place before us the food position and also to let us have time to debate on it.
- Mr. SPEAKER: I understand the Government is prepared to make a statement on the food position in Jalpaiguri. They are ready with that statement and they will place it before the House as you like—either today or tomorrow.

#### UNSTARRED QUESTIONS

(answers to which were laid on the table)

### Alleged deaths due to starvation in Murshidabad district

- 1. Sj. SATISH CHANDRA CHAKRAVARTY: Will the Hon'ble Minister in charge of the Food Department be pleased to state—
  - (a) whether Government have received any reports of death due to starvation from the Murshidabad district;
  - (b) if so, whether the District Officers of Murshidabad informed the Government of the seriousness of food position in the district and whether Government took any step timely; and
  - (c) whether the present price of food in Murshidabad has come down to normal?

MINISTER in charge of the FOOD DEPARTMENT (the Hon'ble Prafulla Chandra Sen): (a) Certain reports of death due to starvation have appeared in the Press but these proved to be false on enquiry.

- (b) The District Officers promptly and regularly informed Government about every fresh development in the district food position, and all necessary steps were taken timely by Government for supply of food wherever necessary.
- (c) The present price of food in the district is somewhat above last year's as will be seen from the following figures for the principal markets:—

Minimum retail prices of rice in the subdivisions of Murshidabad

		Subdivisiens.		tl	ce as on he 28th rch, 1951.	Price a	ye	ar	ago.
					Rs.	Rs.	. a.	p.	
Sadar			• •	• •	20	17	12	0	
Lalbagh					24*	18	8	0	
Jangipur	•				22	15	0	0	
Kandi		• •		• •	19	14	4	0	

<sup>•</sup>Relates to 21st March, 1951.

- Sj. SIBNATH BANERJEE: Supplementary question, Sir. মাননীয় মন্ত্রীমহাশব, দবা করে বলবেন কি যে উত্তর্গটা তিনি এই questionএর (৫)তে দিরেছেন সেটা ইংরেছের আবলে
  তারা ওবানে বলে (pointing to the treasury benches) যে উত্তর দিত তার সক্ষে ছবোহ মিলে
  যাব কিনা ?
- Mr. SPEAKER: Order please. Please put your supplementary question.
- 8]. SIBNATH BANERJEE: My supplementary question is whether he has noticed a wonderful similarity between the replies that he is giving—
  - Mr. SPEAKER: Please put your supplementary question.

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8j. DEBENDRA NATH SEN: Will the Hon'ble Minister please compare his reply given in Starred Question No. 3 where it has been said that Murshidabad is almost self-sufficient and also the reply given in this Unstarred Question that the price has risen very steeply this year as compared to the last year and say what this is due to?

The Hon'ble PRAFULLA CHANDRA SEN: This is due to various factors.

8j. DEBENDRA NATH SEN: What are those factors?

The Hon'ble PRAFULLA CHANDRA SEN: (1) This is due to increase in population; (2) this is due to hoarding by large producers.

8j. DEBENDRA NATH SEN: In vew of the reply just given that one of the reasons is hoarding, will the Hon'ble Minister be pleased to state what steps have been taken by the Hon'ble Minister to combat that hoarding?

The Hon'ble PRAFULLA CHANDRA SEN: Hoarders are all now dispersing their stocks and it is difficult to catch hold of them.

8]. JYOTI BASU: Will the Hon'ble Minister be pleased to state by how much the population has increased in Murshidabad?

The Hon'ble PRAFULLA CHANDRA SEN: I want notice.

8j. JYOTI BASU: Will the Hon'ble Minister be pleased to state the approximate increase in population in this particular district?

The Hon'ble PRAFULLA CHANDRA SEN: I will give you the accurate figures and you will notice this increase.

8j. JYOTI BASU: With reference to answer (a), will the Hon'ble Minister be pleased to state as to how many enquiries were made with regard to starvation deaths in this district?

The Hon'ble PRAFULLA CHANDRA SEN: As many reports were received.

8j. JYOTI BASU: How many reports were received?

The Hon'ble PRAFULLA CHANDRA SEN: I want notice.

Sj. HARIPADA CHATTERJEE : মাননীয় মন্ত্রীবর বলছেন যে, ১৯৫১ সালের ২৮শে মার্চ ঐ ঐ পর ছিল। চালের বর্তমান দর কি দয়া করে তা'বলবেন কি দ

The Hen'ble PRAFULLA CHANDRA SEN : আপনারা যদি জান্তে চান তবে নিশ্চয়ই বলব ৷

- 1951.]
  - Sj. HARIPADA GHATTERJEE : পাপনারা কি কাবেল লা বর্তমান বর কি ?

The Hon'ble PRAFULLA CHANDRA SEN : সৰ সময় পর জান। সম্ভব নয়।

8j. HARIPADA CHATTERJEE : মুর্শিদাবাদ জেলা আমি যুরে এসেছি, দেখানের লোক না থেয়ে বরছে, আর সে ধবর আপনারা রাখেন না ।

The Hon'ble PRAFULLA CHANDRA SEN: ना त्वंदय मनदक् अमन वााशीत्व निन्ठस्र है enquiry क्वत ।

8j. SIBNATH BANERJEE : আপনারা বলছেন যে, ওটা proved to be false on enquiry। আমি জিজাবা করছি কংগ্রেস কমিটির গারা, না village chowkidar গারা enquiry করা হলেছে।

The Hon'ble PRAFULLA CHANDRA SEN : District Magistrate enquiry করে report পাঠিবেছেল।

- 8j. JYOTI BABU: Mr. Speaker: on a point of privilege. I do not think the Hon'ble Minister—if you heard his answer—is taking this question seriously at all—the question of food and prices. If you have got any influence with the Government—and specially the Food Minister—will you ask him to be a little serious when he answers questions?
- Sj. HARIPADA CHATTERJEE: মাননীয় মন্ত্রীমহাপয় এই খবর কোথায় পেলেন যে ন খায়ে একজন ভোকও মারা যায় নি ?

(No reply.)

8j. JYOTI BASU: In that case will the Hon'ble Minister be pleased to place that report of the District Magistrate before this House?

The Hon'ble PRAFULLA CHANDRA SEN: If I get notice, I will do that.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state the number of reports of death that he received allegedly on the ground of starvation, according to him?

The Hon'ble PRAFULLA CHANDRA SEN: Not a single death has occurred.

8j. DEBENDRA NATH SEN: What is the number of reports of death which appeared in the press?

The Hon'ble PRAFULLA CHANDRA SEN: Two or three reports.

- 8j. HARIPADA CHATTERJEE: আমরা ধবরের কাগজে দেবেছি যে, না থেতে পেয়ে মারা পিয়েছে।
  The Hon'ble PRAFULLA CHANDRA 8EN: খবরের কাগজে যা প্রকাশিত হয় তা সবসময়
  সত্য হয় না।
- 8j. SIBNATH BANERJEE: মাননীয় মন্ত্রীমহাশয় কি বলছেন তা আমরা ভনতেও পাচিছ না, বুৰতেও পাচিছ না, আপনারা কি নিয়ে হাসাহাসি করছেন তাও বুৰতে পাচিছ না। আপনার গাঁতগুলি একটু পরিকার করা দরকার।

The Hon'ble Dr. BIDHAN CHANDRA ROY: যদি কিছু ভাৰতে না পাও ভাহৰে কি করব ?

- 8j. SIBNATH BANERJEE: पात এकवात पत्रा करत बन्त ।
- 8j. JYOTI BASU: Has the Hon'ble Minister or Ministers taken any action against the papers which have been giving lying reports according to them?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I shall be glad if you will support that measure.

Sj. SIBNATH BANERJEE: We have not got reply to our question.

The Hon'ble PRAFULLA CHANDRA SEN: We will ask our Legal Adviser about this matter.

8]. SIBNATH BANERJEE: On a matter of privilege, Sir. I have not heard the reply—others have not heard it—but we have the right to hear him.

Mr. SPEAKER: You want to have the answer repeated?

8j. 8iBNATH BANERJEE: Yes.

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Mr. SPEAKER: What was that question whose answer you want?

8J. SIBNATH BANERJEE: The question was that certain reports of death due to starvation appeared in the press. এটা কি সত্য নয়, এটা কি মিধ্যা? তারপর জ্যোতি বসু যদি মিধ্যাই বলে পাকেন তবে তার কোন উত্তর দেন না কেন? আপনারা প্রেমের উপর action আনতেন না কেন?

The Hon'ble PRAFULLA CHANDRA SEN: আমরা আইনজ্ঞদের report চেয়ে পার্টিয়েছি এই স্থক্তে কি করা যায়। তাঁরা এই সমস্ত আইন বাঁচিয়ে এমনভাবে করেন যে, আমরা কিছু করতে পারি না।

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state since when this matter has been referred to for legal opinion.

The Hon'ble PRAFULLA CHANDRA SEN: I cannot give you the date off hand.

SJ. CHARU CHANDRA BHANDARI: মাননীয় মধীমহাণয় অনুসদ্ধান করে বলবেন কি অনশনে মৃত্যু নাও হতে পারে, কিন্তু অনশনজনিত রোগে মৃত্যু হয়েছে কিনা প

The Hon'ble PRAFULLA CHANDRA SEN: এটা জানি যে, অনশনে মৃত্যু হয় নি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: অনশনজনিত রোগ কাকে বলে আমি এটা নতন তানছি।

#### Timber merchants of Jalpaiguri

- 2. SJ. SIBNATH BANERJEE: (a) Will the Hon'ble Minister in charge of the Forests Department be pleased to state if it is a fact—
  - (i) that earnest money of Rs.20 per lot payable by the timber merchants of Jalpaiguri was increased to Rs.300 about 5 years back and now increased to Rs.1,000 from 1948;
  - (ii) that allotment of coupes has been reduced to about 25 trees from about 100;
  - (iii) that auction which used to take place in August for C.F. lots and in May for the rest has now been changed to October;
  - (iv) that the time for extraction has been changed from March to January of the next year;
  - (v) that tops and branches are not allowed to be taken by the merchants;
  - (vi) that supervision charges, viz. 8 annas for B.G. and 4 annas for M.G. are realised now; and

- (vii) that sale of coupesother than C.F. has been stopped this year?
- (b) If the answer to (a) be in the affirmative, will the Hon'ble Minister be pleased to consider the desirability of reverting to the old system?

MINISTER in charge of the FORESTS DEPARTMENT (the Hon'ble Hem Chandra Naskar): (a)(i) The practice of taking earnest money of Rs. 300 per lot has been in vogue for well over two decades. Owing to influx of non-bona fide purchasers in the timber trade following the last war, the amount of earnest money had to be increased to safeguard the interests of bona fide timber merchants. As conditions have since returned to normal and easy credits are no longer obtainable, the previous rate has been reverted to.

- (ii) This is not correct.
- (m) Auctions of C.F. and other major coupes are held during the period from June to September. Delays occur in exceptional circumstances.
- (iv) Sale notices usually prescribe date of extraction as 31st January or 28th February. But normally extension of time is allowed up to 15th March.
- (r) Timber only is sold by auction. Timber purchasers are not, therefore, allowed to take tops or branches that do not yield timber. These are sold later as fuel.
  - (ii) Yes.
  - (rii) No.
  - (b) Does not arise.
- Sj. SIBNATH BANERJEE: মাননীয় মন্ত্ৰীমহাশয় বলেছেন timber purchasors are net allowed to take tops or branches—তিনি কি অবগত আচেন যে আগে তাঁরা গাছ বিফ্রী করলে ভালপালাও বিক্রী হত, এবং সেটাও নিয়ে যাওয়া হোত। এবং তারা সেটা fuel হিসাবে use করত।

The Hon'ble HEM CHANDRA NASKAR: আনরা ভাশু timberই বিক্রী কণ্ডান, ভালপানা আলাদাভাবে বিক্রী হোত, ঐটাই বরাবর চলে আগতে। আলাদাভাবে আবানীকাঠ হিসাবে বিক্রী কর। হয় ।

Sj. SIBNATH BANERJEE: মাননীয় মধীমহাশয় আমার পুশুদা বুঝতে পাবছেন না । বর্তমানে অবহা কি আনরা তা জানি। কতদিন ধরে এই change হয়েছে, দু'বৎসর আডাই বৎসর হোল ?

The Hon'ble HEM CHANDRA NASKAR: প্রায় বিশ বংসর ধরে এই নিয়ম বরাসর চলে এসেতে।

Sj. SIBNATH BANERJEE: আমার পুশু ছিল এক একটা couped ১০০টা গাছ ছিল, কেখানে এখন ২৫টা করা হয়েছে। আপনি সেটা incorrect বলছেন। আমি জানতে চাই সেখানে ১০০টার স্থলে কতটা হয়েছে?

The Hon'ble HEM CHANDRA NASKAR: ২৫টা ঠিক নয়, ৮ থেকে ২০০টা পর্য্যন্তও হতে পারে, তার মধ্যে ৩-৪টা coupe নিরেও হতে পারত। বেখানে বেরকম খাকে সেইরকম হয়।

Sj. SIBNATH BANERJEE: দাননীয় বন্ত্ৰীমহাশ্ম বলবেন কি এই নীতিৰ ফলে timber traders অনেকে কাজ বন্ধ কৰতে বাব্য হয়েছে, এবং এর ফলে বহু লোক বেকার হয়েছে, আৰি এই পুশুটাই করছি।

The Hon'ble HEM CHANDRA NASKAR: এটা সত্য নর বে, এই নীতির কলে কাঞ্চ বন্ধ হরেছে। পাকিস্থান হওরার দরুপ কাঠ ঠিক সময়মত স্থাসতে পারেনা, এঞ্চন্য কাঞ্চ বন্ধ হতে পারে। স্থাপনি বেটা বলছেন সেটা কারণ নর।

The Hon'ble HEM CHANDRA NASKAR: না, বন্ধ করা হবেনা, তা বন্ধ করা হয়নি।
Governmentএর নিয়ম হচেছ যে, বারা নানা কারণের জন্য ঠিকমত এবং সময়মত কাঠ না নিতে পারে
তাদের একটা compensation দিতে হয়।

8j. BIRENDRANATH ROY SARKER: Branches, ভালপালা merchant ও বাৰসায়ীয়া নিয়ে কি করেন ?

The Hon'ble HEM CHANDRA NASKAR: এটাকে কাঠ কয়লায় পরিণত করে দাজিলিং, কাসিয়াং পুভৃতি যায়গায় সেই সমস্ত supply করা হয়।

#### Admissibility of Adjournment Motion.

Dr. SURESH CHANDRA BANERJI: On a point of privilege, Sir— মাননীয় শীকার নহাপ্য আমরা আমাদের অধিকার ও Privilege থেকে বঞ্চিত হচিছ্, তথন আপুনি বলেছিলেন যে Governor's address হবে এবং সে হয়কে আমরা আমাদেন বক্তব্য বিষয় বলতে পারব। আমার একটা adjournment motion ছিল্ল যে that the business of the Assembly——

Mr. SPEAKER: Dr. Banerji, you cannot read the adjournment motion. The position is that when a notice of an adjournment motion is given the Speaker considers the adjournment motion as to whether consent should be given to move it or not. Once he decides that the adjournment motion cannot be consented to, the matter cannot be brought before the House in this shape by another method. The only thing which I have allowed was to make certain reference to it in the House without creating any precedents. Now, without reading the whole of your adjournment motion, you can refer, if you so desire, only to the subject of your adjournment motion and not to the whole motion itself.

Dr. SURESH CHANDRA BANERJI: শীকার মহাণয়, আপনি আবে। বলেছিলেন যে বাজেট discussionএ বছ বিষয় আলোচনা হবে। সে সব সমুদ্ধে আমবাও আলোচনা করতে পাবি। এবার Governorএর address বা বাজেট discussion হল না। অপচ এটা একটা গুরুতর ব্যাপার। এই ব্যাপারটা urgent public importance; কেননা একটু আগে discussion হয়েছে যে মালদা, জলপাইগুড়ি, মুশিদাবাদ—নানা জেলা থেকে ধবর আসহে যে চালের দব বেড়ে যাহেছ ৬০, ৭০, ৮০, কোখাও বা ১০০, টাকা পর্যান্ত হয়েছে। আজ জ্বলপাইগুড়ি থেকে ধবর পেয়েছি যে সেবানে চালের দর ১০০, টাকা প্রয়ন্ত হয়েছে।

Mr. SPEAKER: Dr. Banerji, I regret I cannot allow a discussion on this subject. The whole position is this that I received an adjournment motion and I found that my consent should not be given to it. In short you can just enquire as to why I have not given my consent to the motion. If you asked me about it outside the House, I could have taken you into my confidence and told you why I did not give my consent to it.

But when you have referred the matter in the House, I should say that I gave a long note in the last session about the admissibility of adjournment motions.

Now, the question is that the rise in price is going on throughout the year and it is a question which arises from day to day.

Dr. P. C. CHOSH: Sir, your answer is not audible to us. Will you kindly speak from the mike?

Mr. SPEAKER: All right. So far as adjournment motions are concerned, the principle is that unless and until the matter is of such grave importance that ordinary business of the House must be postponed for discussion of that particular subject, the adjournment motions should not ordinarily be allowed to interfere with the business of the House. I gave a long note in the last session of the House on the subject of admissibility of adjournment motions. Now, the question that rise in the price of foodstuff has taken place is a matter which is happening for a long time past. That is a matter which cannot be regarded as a matter for which the business of the House should be adjourned.

Now, I have seen that there is a short notice question on our agenda and that Government is prepared to make a statement on the food situation. We have got supplementary estimates also. At that time also this matter can be referred to. To my mind it appears that the matter referred to in the adjournment motion is not such that the House should be adjourned in order to discuss that matter, especially when there is an opportunity to refer to that matter. I once more repeat that adjournment motions are not and should not be allowed unless and until the matter is of such importance that it must be brought in, and ordinarily in practice the business of the House should not be interfered with as far as possible.

- 8j. SIBNATH BANERJEE: মাননীয় শীকার মহোদয; আমার একটা নিবেদন আছে। আপনি দয়া করে আমাদের জানিষে দিন যে কি condition হলে adjournment motion move করা যেতে পারে। কারণ আমাদের পক্ষে বোঝা কঠিন যে কখন আমার adjournment motion move করতে পারবো। আমার মনে হয় আজকে যে situation—যে চালের দর ৮০১ টাকা, ১০০১ টাকা পর্যায় হচেছ, এটা একটা extraordinary situation এবং এই সময়েই যদি আমারা তার জন্য সময় না পাই, when Rome is burning we are fiddling; আমাদের কাছে এটা একটা অত্যন্ত extraordinary situation but the other side did not care and we are wasting our time. স্বতরাং আমাদের জানিয়ে দিন যে কি condition হলে adjournment motion move করা কেতে পারে। কারণ আমারা যথনি কোন adjournment motion move করি তথনি দেখি যে consent is being refused. স্বতরাং আমাদের অবত: একটা রাজ্য দেখিয়ে দিন।
- Si. BIMAL COMAR CHOSE: Sir, may I make a submission before you give your ruling on the admissibility of the adjournment motion that was submitted by Dr. Banerji? I have heard what you have said, but I should like to submit that there was almost a similar motion, if not a little bit of worse type, moved in 1944, and that was admitted. The motion was about maladministration in the distribution of essential articles under Government control such as salt, coke, mustard oil, kerosene and sugar in the mufassil of Bengal. The adjournment motion was not brought in on the first day that the Assembly met but after a few days had already elapsed. And it was a continuing occurrence and it did not all of a sudden emerge on that particular day, because the short statement said, "reports are pouring in recently". I am reading from the Proceedings of 1944, Volume XVIII, No. 5, "Reports are pouring in recently and also noticed to have been published in local journals during the last week inviting attention to the severe hardship felt by people in different parts of the mufassal of Bengal due to shortage of supply of essential articles". An objection was taken on the Government side by Mr. Fazlur Rahman who said, "An adjournment must discuss a definite matter of urgent public importance". He said that it was not a matter of urgent public importance. And Mr. Suhrawardy said, "I find the greatest amount of difficulty in answering a resolution of this type when the maladministration which is referred to has not been specifically defined. Also, Sir, I would say that it is not a

matter of recent occurrence. Whatever, is good or bad has been going on for some time. If there has been maladministration, there has been maladministration; if there has been proper distribution, there has been proper distribution. I say nothing has happened of recent occurrence to justify an adjournment motion." What the Speaker said was, "That the matter is of vital importance to the community is undeniable. In my opinion it is also urgent."

There is another point. After unstarred question No. 2 you said, "There has been a short-notice question." An answer to that has already been read out, and you said that the printed answer was not coming today and that the supplementaries would come tomorrow. But, Sir, that shortnotice question also refers to one particular district, viz., Jalpaiguri, whereas if I understand it rightly, the adjournment motion refers to many districts of West Bengal, and therefore that short-notice question should not be considered as satisfactory as something which can replace the adjournment motion. Secondly, if the Government would agree that there should be a resolution brought or that there should be a statement made by the Government and that an opportunity would be given to the members to discuss that statement or that resolution, then of course I would agree with you that you might decide that there was no necessity of the adjournment motion. But the question and its answer and supplementaries are not a proper method for discussing certain facts relating to the adjournment motion. In supplementaries the Government will say, "I want notice" or "It is not relevant" and so on; and that is not the way in which the food situation in the country can be discussed. It is getting very serious since a long time. I do not think that a mere short-notice question should be sufficient in place of an adjournment motion. The only thing you may say, Sir, is that there is a resolution or a statement which can be discussed in the House.

Mr. SPEAKER: I have heard the honourable members on this subject. In the very first place I would request the honourable members to remember that power has been given to the Speaker to consider as to whether consent should be given or not. If there be anything to be asked, ordinarily it ought to be asked to the Speaker in his chamber and not in the House itself except under very extraordinary circumstances. I have permitted the question to be raised just to clarify the position with regard to the adjournment motion. I did clarify it on the last occasion when I made a statement, and I wish to clarify it again with regard to the position of an adjournment motion. There are a hundred matters which are of grave importance so far as this country is concerned. But you must remember as to what are the matters which are of such grave importance that the ordinary business of the Assembly should be postponed. There must be a degree of importance. That degree of importance has to be judged by the Speaker when he gives his consent. There was a certain amount of latitude in allowing adjournment motions before. Recently the policy has been that we should be more strict with regard to adjournment motions, and that has been the policy which has been followed in the House of Commons. Formerly the adjournment motions were regarded as an ordinary means of ventilating even ordinary grievances, but it was a wrong policy with regard to adjournment motions. As a matter of fact the Central Speaker in Laik Ali's case expressly mentioned that adjournment motions should not be easily allowed. Even in England the percentage of adjournment motions has been reduced even to a negligible figure and it is only in rare cases that adjournment motions are permitted. Now what happened in 1944 is not relevant to what happens in 1951. A certain thing happened in 1944 after the famine of 1943 and rise in price occurred. That might be a matter of great importance then. But when the rise in price is continuing for such a long time—four or five years—it becomes reduced to a normal administrative question which is occurring from day to day. Therefore I would submit to you that a question may be of graver importance at a particular time, but it may lose its importance in course of days and t may not be of such grave importance at another period of time. So he question of admissibility of an adjournment motion is to be considered it the time and at the place when that adjournment motion is put before he House. Now this adjournment motion relates to the higher rise in he price of rice. It may be Rs. 40, it may be Rs. 60 or it may be even Is. 80, but the rise has been going on for a long time past. Therefore, to ne it appears that this is a question which relates to the ordinary administraion of our country. It may be that the price has become abnormally high. The question is not that it is not a very serious matter. The question is whether the matter is such that we should adjourn the ordinary business of the House. If we go on adjourning the business of the House in this nanner, then it will be difficult for us to conduct the business of the House vithin the time-limit fixed. This is the only exposition that I should like o place before the House and I do not want to repeat what I said on the ast occasion because I submitted before the House the circumstances nder which adjournment motions are to be allowed. I also underlined he principles with regard to the admissibility of adjournment motions. he honourable members may look to that statement which I made after lue consideration of the English precedents as well as the precedents of our country, and because it contains five or six pages; I do not wish to take he time of the House by reading it. The honourable members wanted suidance from me as to the circumstances under which an adjournment notion can be allowed and I do hope that they have received some guidance by the notes which I delivered on the last occasion. If they want any more nformation, I should like them to read the constitutional laws with regard o these matters which we have borrowed from the English practice in the louse of Commons.

- **Sj. BIMAL COMAR CHOSE:** Sir, as you are referring to the English practice, probably you are also aware that there is a practice—
- Mr. SPEAKER: With greatest respect I regret that I cannot allow ny further discussion over this subject. If you have got anything to say, ou are very much welcome to point that out to me—anything which is rorth consideration and I can assure you that I will give my utmost conideration that it deserves.
- 8j. BIMAL COMAR CHOSE: On a point of privilege, Sir. As obtains n the House of Commons there is a practice that when a certain question rises for which the adjournment of the House is not considered necessary—
- Mr. SPEAKER: Order, order. Mr. Ghose, I am very sorry I cannot llow any further discussion on this point.
- 8j. BIMAL COMAR CHOSE: Sir, I am not talking on that matter. ir, you gave your ruling and that is final. I abide by your ruling. I am ising on a point of privilege and I want to submit certain things as to how re shall have to act—
  - Mr. SPEAKER: With regard to adjournment motions?
- 8j. BiMAL COMAR CHOSE: No. It will relate to adjournment actions generally. It is a matter of privilege for the honourable members o move adjournment motions and it will have some bearing on that. If ou say that you won't hear me, I will sit down.

- Mr. SPEAKER: I wish to know whether you want to say something on the subject of adjournment motions or something else?
- sj. BIMAL COMAR CHOSE: Sir, it has a bearing on adjournmen motions and because it is a matter of privilege for the members to move an adjournment motion, I think I should bring to your notice—
- Mr. SPEAKER: I want to know if you are referring to the question of admissibility of adjournment motions.
- 8]. BIMAL COMAR CHOSE: I am referring to the right of moving adjournment motions.
  - Mr. SPEAKER: That I have discussed.
- 8j. BIMAL COMAR CHOSE: No; we have discussed one adjournment motion.
- Mr. SPEAKER: So far as adjournment motions of today are concerned, they are more or less identical on the question of rise in price. Now I have said what I had to say with regard to adjournment motions. I do not think it desirable to continue discussion over the accepted principles on that subject any further.
  - 8]. BIMAL COMAR CHOSE: If you will allow me, Sir-

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, would it not be better if he went to your room and discussed this matter.

- 8j. BIMAL COMAR CHOSE: It might be of interest to other members as well.
- Mr. SPEAKER: The question is that we have got an agenda before the House. Now, time is to be utilised in the disposal of that agenda. So far as adjournment motions are concerned, I think we have discussed this matter generally and we should not further take the time of the House in discussing that matter. If you wish to say something, you please point that out to me afterwards.
- 8j. BIMAL COMAR CHOSE: Sir, the position here is not the same as in London. There every day some time is set apart for discussing questions which are like adjournment motions.
- The Hon'ble Dr. BIDHAN CHANDRA ROY: My difficulty is that we do not follow these big things. So I say that that he might discuss it in your room.
- Mr. SPEAKER: I have understood your point. In England there is a rule that after question hour certain time is given in order to discuss a particular question. That will require amendment of rules.
- 8]. BIMAL COMAR CHOSE: Here, Sir, the conditions are not the same. Therefore there should be some relaxation given to us as the conditions here are not the same as in the House of Commons.
- 8j. SIBNATH BANERJEE: May I add one sentence? Not only in England but right in New Delhi this system is now in vogue.
- Mr. SPEAKER: I know that. As a matter of fact I had a talk with the Central Speaker. He has recently introduced a system by which after question hours some time is given to discuss certain questions arising out of the questions. I desire that some such system might be followed here, but that will require amendment of the rules.

Dr. SURESH CHANDRA BANERJI: On a point of information, Sir.

कि बत्निहित्तन of a matter of ordinary importance हत्त्व adjournment

Mr. SPEAKER: No; no. I cannot allow you to go on in this way.

Dr. SURESH CHANDRA BANERJI: Sir, আমার কথা পেছ করতে দিন দ্রা করে।
নাকে বলতে দিন। যাতে adjournment motion হতে পারে তার একটা definite instance দিন।
ু একটা definite mattera আমরা adjournment motion move করলে আপনি তাতে রাজী
বেন। কিন্তু আমরা পেবছি যে একটা——

Mr. SPEAKER: It is very difficult to specify all the instances which night be subject-matter of adjournment motions. As a matter of fact the ule is there, the policy is there, the conventions are there and it is the interpretation which is to be put upon the rules that is to be done by a sertain person, and he is the Speaker, in regard to the admissibility of the adjournment motions. There cannot be any further guidance. The rule s explicit, the convention is explicit, the House of Commons ruling is here, the Central ruling is there, this House's ruling is there. If you still eel that something more should be done, I am ready to do that.

Bj. JYOTI BASU: On a point of privilege, Sir. My adjournment motion—though of a similar nature but not quite the same—has also been refused consent. Since your ruling is that I cannot discuss this matter. I leave it there, but another question which was raised in this House before this was with regard to food situation. It was said that the Hon'ble Chief Minister is prepared to make a statement on the food situation. Now Sri Bimal Comar Ghose asked you whether it is possible for us to discuss that statement which is going to be made tomorrow. Now, if it is possible for us to discuss that statement, then there is no need for any adjournment motion but it is no use our hearing a lecture from the Chief Minister as to the food situation.

The Hon'ble Dr. BIDHAN CHANDRA ROY: In that case I won't give it.

Mr. SPEAKER: It is always the case that the Government makes a statement on certain situations or on certain matters which are agitating the minds of the people. In such cases it is not a question of a lecture or anything like that. Now as to whether there should be an opportunity given for a full discussion of the matter or not is a matter for consideration.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I wanted to make the members wiser and if they refused to be wiser I cannot help it.

SJ. JYOTI BASU: Does it mean that we can discuss the matter

Mr. SPEAKER: I cannot say that. It is a matter for consideration as to how it could be discussed and what is the procedure laid down for discussion of such matters. I cannot at this stage say as to what would exactly be done.

## Shortness of time to submit amendments to the Bills,

8j. BIMAL COMAR CHOSE: I rise on a point of privilege to speak on the amendments to Bills that we are to send from time to time with regard to the Bills that are sent to us and the time allowed to us within which to send such amendments—

Mr. SPEAKER: Which Bill are you referring to?

51.1

sj. BIMAL COMAR CHOSE: Lam referring to all the Bills and the amendments relating thereto and the time allowed within which to send such amendments. You will see, Sir, that in many cases they not only do not conform to the Assembly Procedure Rules but the time given is very short—

Mr. SPEAKER: As a matter of fact so far as the Calcutta Municipal Bill was concerned....

8]. BIMAL COMAR CHOSE: I am not referring to that only; I am speaking in general with regard to all the Bills. You will remember, Sir, that this matter was referred to during the last Session and you mentioned this to the Government and it was agreed to or suggested that after that there would not be any such thing, that we would get sufficient time to put in amendments and also, if I remember rightly, you said that whenever we were given less time to submit amendments than was permissible under the rules, with regard to a particular Bill, you would mention in the forwarding letter forwarding that particular Bill that you were satisfied that the time allowed for submission of amendments with regard to that particular Bill was sufficient but no such mention has been made in any of the forwarding letters with which were forwarded the different Bills. Now, Sir, let me take the circular letter No. 86(92), dated the 14th September, 1951, with which was forwarded to us The West Bengal Fire Services (Amendment) Bill, 1951. This letter reached me on the 15th September and it stipulated the time within which amendments are to be sent as 12 noon on the 17th September, at the latest. The same is the case with The Bengal Municipal (West Bengal Amendment) Bill, 1951, The West Bengal Security (Amendment) Bill sent along with the circular letter of the 12th September reaching us on the 13th September-

Mr. SPEAKER: I have understood your point, and I see that you are complaining of the shortness of time with regard to sending in of amendments which is not the time allowed under our rules. The thing is happening that we are getting notices from the Government at a late stage and I have already drawn the attention of Government from time to time with regard to the necessity of giving members sufficient time to go through the Bills and to put in the necessary amendments. Now with regard to particular Bills if you feel that a certain time is to be given or that the time given is less certainly that is a matter for consideration. With regard to the Calcutta Municipal Bill the time originally fixed for sending in amendments was the 14th September but then I received a communication from one of the members that the time should be extended and accordingly I extended the time to the 17th September. Then I received another communication from the newly-elected members with regard to the same Calcutta Municipal Bill for an extension of time inasmuch as they had been newly elected and I have written to them that it is difficult to extend the time every time a communication to that effect was received on the ground of some members having been newly elected and that they should try to send in their amendments within the time allotted and if there be some important amendments which do not strike them at the time they put in the amendments within the time specified and strike them later and which they want to move I can allow such amendments to be moved as short-notice amendments. Therefore the only complaints that I received were with regard to the Calcutta Municipal Bill and I do not remember to have received any complaint with regard to the other Bills. Generally speaking, what you say is correct, namely, that there should be sufficient time given. But then there may be some Bills—a single-clause Bill or a two-clause Bill -or even an unimportant Bill-where the time needed to put in amendments may be very much less than the time prescribed under the rules or

less than the time allowed with regard to other long and important Bills and therefore each case will have to be judged on its merits and according to the practical exigencies of the situation. That is what I consider is the right line to adopt.

- 8]. BIMAL COMAR CHOSE: The submission that I want to make in short is this that we get rather a short time for sending in our amendments and I wished that this point should be brought to your notice first so that you might satisfy for yourself whether the time allowed for a particular Bill was in your opinion sufficient and if not to extend the time.
- Mr. SPEAKER: Let us go on with each and every Bill as it comes up and if you have got to say anything with regard to amendments you please mention it and I shall consider as to how I can accommodate you, whether I can allow short-notice amendments to meet your requirements. As a matter of fact the business just now before the House is Government Business—Ordinances, and at this stage there cannot be any general adjournment of such business to discuss the issue as to with regard to which Bills there should be an extension of time with regard to putting in amendments. I have told you, Mr. Ghose, that I will consider, when the particular Bill is there, as to whether you have a grievance with regard to the question of time and whether the grievance is justified or not and if justified whether something should be done. It is no time just now to go into that issue. Let us for the present go on with the business before the House, namely, the Ordinances.
- 8j. BIMAL COMAR CHOSE: With regard to the Calcutta Municipal Bill also do you say, Sir, that you will take up our complaint at the time when the Bill actually comes before the House? But then, Sir, it may be too late in the day. So, Sir, shall we go on sending in our amendments from now on?
- Mr. SPEAKER: Mr. Ghose, I have told you already that I shall admit at shorter notice as short-notice amendments any necessary amendments that you may like to move.
- with regard to Bills consisting of 5 or 6 clauses each but with regard to the Calcutta Municipal Bill it is a Bill of 615 clauses and you may say, Sir, what do you consider should be the reasonable period of time given for the members to study the Bill thoroughly and to suggest amendments. And then, Sir, there are certain departures also from the procedure laid down in the matter of the presentation of the Report of the Select Committee with regard to this Bill. The usual practice was that whenever there have been any changes in the report a list of those changes with the reasons therefor used to be given and I do not know why that practice has not been followed in this case. Perhaps it is not wanted that we should thoroughly study or understand the Bill. So naturally more time has to be devoted to the Bill in order to get to know what it is like. And there is also another point, Sir. If you would refer to rule 59(1) of the Assembly Procedure Rules you will see that it reads thus—"The Secretary shall cause every report of a select committee to be printed, and a copy of the report shall be made available for the use of each member. The report, with the amended Bill, shall be published in the gazette". The idea of publishing them in the gazette is that the public should come to know something about the Bill and in the absence of such publication the rate-payers of Calcutta do not know what it is, I mean the Calcutta Municipal Bill, and they have not been given an opportunity to express any opinion on the Bill. I asked the office here, Sir, to send a copy of the Bill to somebody who is very

much conversant with the municipal affairs and I was told that no copy could be supplied to an outsider until it was presented in the House and therefore, Sir, is it suggested that we should harry through this Bill without giving an opportunity to the interested persons to study it and to have their say in the matter and to suggest amendments where necessary.

- Mr. SPEAKER: Well, Mr. Ghose, you have sufficiently drawn my attention to the question of shortness of time with regard to certain Bills. We shall consider as to how much time is possible to be given. If there be any insufficiency of time we shall certainly allow short-notice amendments but let us at the moment go on dealing with the subject before the House, namely, the Ordinances.
- 8j. BIMAL COMAR CHOSE: I hope, Sir, you will do whatever you consider necessary and sufficient time should necessarily be given so that the Bill is thoroughly studied and you will please see, Sir, that we do not pass any legislation hastily whether it affects the public or not.
- Mr. SPEAKER: I appreciate your point. The question is that when the Bill comes up before us you have to deal with one Bill at a time as to what should happen with regard to that particular Bill. We cannot at the present moment deal with all the Bills together. The Bills are there and if you wish to make any suggestions you will be at perfect liberty to convey those suggestions to me in my chambers. It is not necessary to take up the valuable time of the House just now when the House is dealing with the Ordinances.
- 8j. NIHARENDU DUTT-MAZUMDAR: On a point of order, Sir. The business before the House now scheduled to be taken up is the laying of the Ordinances. I do think that you will appreciate that no question of time for giving notices of amendments to Bills or of any other matter except the question of the particular business that is now before the House can arise. And what is the business on which this discussion is going on? The laying of Ordinances is now the business of the House and therefore no such objection can arise at this stage.
- 8j. BIMAL COMAR CHOSE: It is not a point of order but of privilege.
- bj. SIBNATH BANERJEE: I want to speak on the point of order, Sir.
- Mr. SPEAKER: It is not necessary for a point of order to be ordinarily discussed in the House. It is only when the Speaker feels that a particular point of order is to be discussed it can be discussed; otherwise not. The question here is absolutely clear. You have been mentioning with regard to shortness of time. Well, I admit that these things have been mentioned in the House and there is nothing out of order regarding the shortness of time. But what I want to say is this that if there be any grievance with regard to any specific Bill please point that out to me in my chamber and I will go to the utmost possible extent in order to accommodate the members to send in their amendments. Now we must proceed with the business of the House and the business of the House should not be interrupted any further.
- 8j. BIMAL COMAR CHOSE: But our difficulty is about the time-limit given for sending an our notices of amendments with regard to each Bill.
- Mr. SPEAKER: Do you then want me to consider the questions with regard to each Bill when it is coming and how many clauses it contains and do you mean to say that you want me to go into the 32 Bills to decide that point?

The Hon'ble NIHARENDU DUTT-MAZUMDAR: May the House proceed with the business now before it?

Mr. SPEAKER: Yes.

8j. JYOTI BASU: On a point of privilege, Sir. We have been given some order papers and in that specific dates are mentioned with regard to specific Bills. Before we leave the House today, if you please go through those dates and extend the dates by one or two or three days then we shall be satisfied.

Mr. SPEAKER: You have mentioned it and I shall see what I can do. The privilege is that members are given sufficient time to send in their amendments.

Now with the permission of the House may I permit the Hon'ble Nalini Ranjan Sarker to proceed with the financial business out of order.

# Laying of Appropriation Accounts, Audit Report, Finance Accounts, etc.

The Hon'ble NALINI RANJAN SARKER: Under the Constitution of India I beg to lay before the Assembly—

- (a) Appropriation Accounts of the Government of West Bengal for 1947-48 (Post-Partition) and the Audit Report, 1949, and Finance Accounts, 1947-48 (Post-Partition) and the Audit Report, 1948, and
- (b) Appropriation Accounts for 1948-49 and the Audit Report, 1950, and Finance Accounts, 1948-49 and the Audit Report, 1949.

#### ORDINANCES.

# The Siliguri Municipal Commissioners (Extension of Term) Ordinance, 1951.

The Hon'ble JADABENDRA NATH PANJA: I beg to lay before the Assembly the Siliguri Municipal Commissioners (Extension of Term) Ordinance, 1951 (West Bengal Ordinance No. III of 1951), under Article 213(2)(a) of the Constitution of India.

# The Cooch Behar Disturbances Enquiry Ordinance, 1951,

The Hon'ble Dr. BIDHAN CHANDRA ROY: I beg to lay before the Assembly the Cooch Behar Disturbances Enquiry Ordinance, 1951 (West Bengal Ordinance No. IV of 1951), under article 213(2)(a) of the Constitution of India.

# The Bengal Finance (Sales Tax) (West Bengal Amendment) Ordinance, 1951.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to lay before the Assembly the Bengal Finance (Sales Tax) (West Bengal Amendment) Ordinance, 1951 (West Bengal Ordinance No. V of 1951), under article 213(2)(a) of the Constitution of India.

# The West Bengal Secondary Education (Second Amendment) Ordinance, 1951.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I beg to lay before the Assembly the West Bengal Secondary Education (Second Amendment) Ordinance, 1951 (West Bengal Ordinance No. VI of 1951), under article 213(2)(a) of the Constitution of India.

# The West Bengal Evacuiee Property (Amendment) Ordinance, 1851.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I beg to lay before the Assembly the West Bengal Evacuee Property (Amendment) Ordinance, 1951 (West Bengal Ordinance No. VII of 1951), under article 213(2)(a) of the Constitution of India.

# The West Bengal Land Development and Planning (Amendment) Ordinance, 1951.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I beg to lay before the Assembly the West Bengal Land Development and Planning (Amendment) Ordinance, 1951 (West Bengal Ordinance No. VIII of 1951), under article 213(2)(a) of the Constitution of India.

# Amendments to the West Bengal Premises Rent Control (Temporary Provisions) Rules, 1950.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I beg to lay before the Assembly the amendments to the West Bengal Premises Rent Control (Temporary Provisions) Rules, 1950.

# Amendments to the Bengal Motor Vehicles Rules, 1940.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I beg to lay before the Assembly the amendments to the Bengal Motor Vehicles Rules, 1940.

#### COVERNMENT BILLS.

The Siliguri Municipal Commissioners (Extension of Term) Bill, 1951.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to introduce the Siliguri Municipal Commissioners (Extension of Term) Bill, 1951.

(The Secretary then read the short-title of the Bill.)

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the Siliguri Municipal Commissioners (Extension of Term) Bill, 1951, be taken into consideration.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move, by way of amendment, that the Siliguri Municipal Commissioners (Extension of Term) Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 1st November, 1951.

মাননীয় স্পীকার স্যার, এই বিলিগুড়িতে আগে কোন municipality ছিল না। ১৯৪৯ সালে ৫ই বে Government ওগানে একটা municipality গঠন কৰেন। এই municipalityর সভ্যসংখ্যা ১৫ জন। এবং Government তথন এই কথা বলেছিলেন বে, এই municipality দুই বংসর বেঁচে থাকবে, এর পরে ১৯৫১ সালে ২৯শে এণ্রিল এর জীবন শেষ হয়ে যাবে। Sir, এই municipalityর কনিনারদের অযোগ্যতা ও গাকিলতীবণত: এই দুই বংসর মধ্যে তারা আর কোন নিবাচনের ব্যবহা করতে পারলেন না। কলে Government আবার একটা Ordinance জারী কোরে এর জীবন ১৯৫১ সালে ২৭ এপ্রিল পর্যন্ত বাড়িরে দেন। এবন এই বে বিল জালা হচেছ্ তার উদ্দেশ্য হচেছ্ এই municipality এবং election ১৯৫২ সালের ১১ মাচর্চ পর্যন্ত জীবন বাড়িরে দেওয়া হউক। আবর্মাম্পাবারণত: এইভাবে একটা municipalityর জীবন ও আরুছাল বাড়িরে দেওয়ার ধুব বিরোধী, কারণ আবারা চাই সকল জায়গার বত শীঘ্র সম্ভব গনতর্মস্থাত উপারে নির্বাচিত প্রতিনিবিদের বারা শাসনকার্ব্য পরিচালিত হউক। স্বতরাং নীতির বিক বেকেও আবরা Government-এর এই বে বোরো শার্ভাল বাড়িরে দেওয়ার পুরাক বাড়িরে দেওয়ার প্রকাল বাড়িরে কেওয়ার পুরাক বাড়িরে বিরোধিতা করতে বার্য। কিছ এর মধ্যে

্রক্রী ক্রমা বটেছে। আমি আগে বলেছি বে এই বৈ municipalityর ১৫ জন ক্ষিণনার, বীদের novernment বনোনীত করেছিলেন তাঁরা এই দুই বংসর মধ্যে, তাঁলের কোন কর্মশঞ্জিরই পরিচয় एक शास्त्रजनि । चाउधार धारे २ वर्शनात्त्रत्र सामा धारे municipalityत निर्वाहन सम्बन्धन स्त्रनि । स्वर াট নর, তাঁর। এই দ'বংসবের মধ্যে সব assessment rate assess কোরে tax বাড়িয়ে দেন। লে সর্বন্ত আপত্তি উঠেছে। এবং আমার কাছে যে figure আছে তা থেকে দেখা যায় যে ১,৩০০ ারগার তাঁর। assess কোরে rate বাডিয়ে দিয়েছেন এবং প্রত্যেক আমগার আপত্তি হরেছে। এবং এই ার্যান্ত তাঁরা মাত্র ২০০টা case মীমাংসা করতে পেরেছেন, আর কোন caseএ মীমাংসা করতে পারেননি। । দুখানকার সাধারণ লোক tax দেয়নি এবং তারা বলেছিল যে এই সব বিরোধের শীনাংসা আগে হউক এবং ীমাংসা ছলে পৰে যথন tax নিৰ্বারিত হবে তথন আমরা tax দেব। কলে অধিকাংশ লোক tax দেরনি। ।খন নিয়ৰ অনুসাৰে যার। ১৯৫১ সালে ৩১ মার্চের মধ্যে tax দেয়নি তার। ৫২ সালের ৩১শে মার্চের মধ্যে যদি নর্বাচন হয় তবে ভোটাধিকার পাবে না। স্প্রতরাং বর্ত্তযান কমিশনারদের গান্ধিলতি ও অযোগ্যতার কলে অধিকাংশ kax-payer ভোটাধিকার থেকে বঞ্চিত হবেন। আর ইতিমধ্যে Darjeelingএর Deputy Commissioner ষ্টার একটা notice দিয়ে ঠিক কোরে দিয়েছেন যে ৫২ সালে February মাসে নির্বাচন হবে। স্থতরাং এই যে নির্বাচন হবে এতে মৃষ্টিমেয় লোকই ভোট দিতে পারবে। অবশ্য বাঁর। বর্ত্তমানে কমিশনার আছেন—বাঁদের নাকি Government মনোনীত করেছে, তারা tax দেননি কিন্তু tax না দিলেও তাঁরা প্রত্যেকে income-tex एम এবং निवय अनुनाद ठाँवा municipal tex ना मित्न ও ভোটাধিকার পাবেন। স্থতরাং municipal কমিশনার ও অন্যান্য মৃষ্টিমেয় লোক মাত্র ভোটাধিকারী হবেন। এতে নির্বাচনের একটা প্রহুসন মাত্র হবে । এই অবস্থা দেখে আমি পস্থাব করতে বাধ্য হচিছু যে, নির্বাচনের time ১৯৫২ সালের ১লা October প্র্যান্ত বাড়িয়ে দেওয়া হোক। ১৯৫২ সালের ৩১শে মার্চের মধ্যে হয় তবে মৃষ্টিমেয় লোক ভোটাধিকার পাবে। তাব মানে এই যে ১৯৫২ সালের ৩১শে মার্চএ যদি নির্বাচন হয় তবে মাত্র মষ্ট্রিমেয় লোকই ভোট দিতে পারে। किन्न यनि नमग्रोते वास्तिय (म'द्रेग) इम्र लाइटल यारमन एक्ष्मर-এव मीमा:ना इन्त्रा ननकान, लारमन case गीनाशा इटा यादा এवः किछ लाक tax पिटा छाट्टेंड अधिकांड शादा। करन या निर्वाहन इटाइ ता निर्वाहन খ্রুবন না হয়ে একটা সত্যিকারের নির্বাচন হবে। তাই এই প্রস্তাব রাধছি যে এইটাকে ১৯৫২ সালের ১লা মজৌবৰ পৰ্বাছ নিৰ্বাচনের তাবিধ পিছিলে দেওৱা হ'ক।

আর Government এব কাছে এইটা জানাচিছ যে বর্ত্তমানে বাঁবা Commissioner আছেন তাঁদেরই যদি nomination দেন এবং Government এব পুস্তাব অনুসারে যদি ১৯৫২ সালের ১লা মার্চে নির্বাচন করেন তা হলেও এটা পুহসন হবে ও সমস্ত অস্ত্রবিধা খেকেই যাবে। Government যদি চান তাহলে আরো কর্মক্ষম লাক যাদের জনগণের সঙ্গে সমৃদ্ধ আছে, যারা জনসাধারণের সেবা করে এমন লোকের অভাব নাই; এই বিশের লোক নিয়ে এবং বাঁরা আছেন তাঁদের বাদ দিয়ে নুতন মিউনিসিপালিটি গঠন করেন, এবং ঐ তারিধ পিছিয়ে দিয়ে এর মধ্যে সমস্ত ৩৯৪৩গুলি মীমাংসা করে নির্বাচন করতে হবে। এটা আমার শুধু নিজের হধা নয়।

Mr. SPEAKER: Do you wish to continue or you will finish shortly?

Dr. SURESH CHANDRA BANERJI: थारत। किছू बनात थारह। I will take some ime,

Mr. SPEAKER: Then you better continue after the adjournment.

(At this stage the House was adjourned for 15 minutes.)

(After Adjournment.)

Dr. SURESH CHANDRA BANERJEE: Sir, বেসব কথা আদি বলেছিলান,—বে অন্ততঃ ১৯৫২ বেনর ১লা অক্টোবৰ পর্যন্ত ইলেকসনের দিন বাড়িয়ে দেওৱা হ'ক। একথাটা ভুবে আদি বলছি তা নর, আনার সাছে দেখান থেকে একথানা প্রকাঠ বিশেষ চিট্ট এসেছে, চিট্টটা আনার নাবে লেখা নর, কেখা হরেছে o the Minister in charge of the Local Self-Government and too the Deputy

Commissioner, শাজিনিং। এ চিঠিখানি বিলিঅভিন যত বড় বড় লোক ও প্ৰধান প্ৰান পাট তারা সকলে সই ক'রে পাঠিবেছে, একখানা কপি আমার নিকট পাঠিবে দিরেছে। এই চিঠিতে কাদের সই আছে; বারা বারা বাক্ষর দিরেছে—তার মধ্যে আছে জগদীল ভটাচার্য তা Rate-payers' Association; Secretary, Bar Association, President, Krishak Proja Majdur Party; The President of Congress Relief and Rehabilitation, Siliguri Branch, Secretary, Socialist Party; Secretary, Gurkha Dukha Nibarani Samity (The Hon'ble Dr. Bidhan Chandba Roy: ক্ষক-পুলা-পাট নাই?) নিশ্চমই তাদের সইও ররেছে, তা'হাড়া আরো অনেকের ররেছে—representative of different parties4র ভিতরে municipal commissioner and councillorsও আছেন—যেনন কীরোননোহন চাটাজি, Dr. H. Gupta, M. B.র নামও ররেছে; Secretary, Medical Association,—এই রকমের বতগুলি পুতিষ্ঠান একটা ছোট সহরে, শিলিগুড়ির মতন সহরে থাকা সম্ভব, তাদের পুতিনিধিদের নাম ররেছে। (The Hon'ble Dr. Bidhan Chandra Roy: তাড়াতাড়িশেম করে পালন ভাই।) আপনি interruption না করলে আমি শীঘুই শেষ করতে পারি। আর আমি আলে বেসৰ কথা বলেছি সেই সর কথার উল্লেখ করে তারা Minister in chargeএর কাছে চিঠি লিবেছেন। তাই আমি গভর্ণনে-টকে অনুরোধ করছি তারা আমার এই যে পুতাব যে ১৯৫২ সনের ১লা অক্টোবর পর্বস্ব ইলেকশনটা ছবিত রাখা ছোক—এইটে মেনে নিন।

**Sj. JYOTI BASU:** Sir, I move my amendment. I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 15th October, 1951.

Now, Sir, why I have moved my amendment is because I have not understood yet from the Hon'ble Minister moving the Bill as to why it was not possible to hold election for reconstitution of the Board of Commissioners of the municipality during these 2 years. I thought that since the reason is not mentioned in the Statement of Objects and Reasons, the Hon'ble Minister would make a statement as to why it was not possible for Government to hold the election, but unfortunately he has not done so. I have got some reports from Siliguri to the effect that these Commissioners who have been appointed have not done their duty, that they are inefficient and what is all the more important, is that during these last two years the area of Siliguri has extended, the population has increased, hundreds and thousands of refugees have come in but unfortunately the Commissioners do not seem to have bothered about this aspect of the matter in the least. When I myself went to Siliguri some time back and when I went round the city I found that the reports I received were absolutely correct, that nothing had been done by the Commissioners to improve the condition of Siliguri or the people of Siliguri. Therefore, Sir, I felt not for a day should these appointed Commissioners remain in office, but unfortunately this difficulty has arisen with regard to the fresh election, that very few voters will be entitled to vote in the next election as has been pointed out just now by Dr. Banerji. Therefore I agreed that if on this present franchise election is held then the Commissioners will not be properly representative. But I cannot accept this position that these appointed Commissioners will go on till October, 1952, or December, 1952. Because then I do not know what will happen during these 1½ years. So my suggestion is that within a very short time—say within 2 months or so—the Government should see to it that the franchise should not only be extended to the people in Siliguri but to those people who are entitled to vote—at least they should be enrolled even if it is not extended to others. I do not think it is so difficult. Because Government can do it as they are doing things through Ordinances, through an Act or some such thing. The best remedy is that soon after the General Elections are held in the country, the election in Siliguri should take place. That is my point of view. Otherwise I would have agreed absolutely with Dr. Banerji, but unfortunately he has not given us a remedy as to what we shall do with these appointed Commissioners when they have proved worthless and the sooner they go the better. That is why I have moved my amendment.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I just wanted to say that there has been some amount of confusion of thought and in that I am strengthened by the speech just now made by Sj. Jyoti Basu. He asked us what we would do with the appointed Commissioners—shall we throw them into the Teesta? He does not realise the position, because he has not taken care to study the little thing that no electoral roll can be framed except out of persons who have paid their dues up to 31st March of a financial year. Therefore if you want to have an election, say in December or in January, 1951, it cannot be done, because we have got to start from the date which has been given in the Act. We cannot go beyond it. There was a great deal of justification in what Dr. Banerji said that a large number of persons have not been enrolled but the difficulty was that their assessment cases were not disposed of. I also suggested to him another point; probably it has missed him. When I was in Siliguri just a few days after Sj. Basu went there-I do not know whether he subsequently went there again-I found a large number of refugees had gone there who have erected their own shops there and who in all conscience should be allowed to have a vote but they would not be entitled to vote until they have stayed there for a period and have paid taxes. Therefore we must begin on a particular date from which the man becomes entitled to be on the electoral roll and that day is the 1st April or so. It takes 6 or 7 months for an electoral roll to be prepared—that is the usual time. If you begin from the 1st of April, 1952, you must get electoral roll framed at the end of October, 1952. Therefore I would suggest if Dr. Banerji would agree to modify the date of 1st October to 31st December, 1952, so as to allow us a certain amount of latitude of time for the electoral roll to be properly framed. The Government was very keen that the nominated Commissioners should cease to exist at the earliest opportunity but unfortunately we have got to follow certain rules and provisions of the Act under which we work. Therefore it is not possible for us to give the exact date as we do not happen to possess that power which the old Moghuls used to possess and which some Moghuls of the present day possess in other countries. We would like to bind ourselves and restrict ourselves by certain provisions of the Act and we cannot go beyond that. Therefore I would suggest to Dr. Banerji to agree to the change of date and if he agrees I shall ask my friend the Hon'ble Jadabendra Nath Panja, to make it 31st December, 1952 or a little earlier.

Dr. SURESH CHANDRA BANERJI: Sir, I accept the change, namely, that it may be extended to 31st December, 1952.

The Hon'ble JADABENDRA NATH PANJA: I agree to the date.

জাঁ, SIBNATH BANERJEE: নাননীর শ্লীকার বহোগর আনি এই বিলটা একেবারে ৪৫rap করতে বলছি। পুধান মন্ত্রী বহোগর আনাদের কথা বেনে নিলেই গোলনাল চুকে যার, এবং আনরা তাহলে next বিলে বেতে পারি। কারণ বাদের মনোনীত করেছেন তাঁরা যে অযোগ্য একথা তাঁরাই শ্রীকার করেছেন এবং শ্রীকার করেই বলছেন এটা extend করা হউক। (আনার কথা পুধান মন্ত্রী একেবারে ভনছেন না) তিনি বলছেন তারা Great নোগল নন। Great বোগল যে নন তা বলতে পারছি না। শিলিগুড়িতে তাঁরা Calcutta Municipalityর নার power নিয়ে বসেছেন; কোন অস্থবিধাই মনে করছে না এবং election ও হচেছনা। তাঁরা বে Great বোগল এটা সত্য, Calcutta itself তার পুরান। তাঁরা তা করতে পারেন এবং যাঁরা বর্ডমানে আছেন তালের বাদ দিরে অন্য নোক নিলেও তাঁরাও অযোগ্য পুরানিত হবেন। কাজেই এর কোন solution হচেছ না। (The Hon'ble Dr. BIDHAN CHANDRA Roy: Socialist Partys লোক নেব)

Then we shall run much better than your flominated members—যা বলছিলাৰ solution তো হৰেই না গোড়ার গলদ বা আছে তা থেকেই বাবে! Dr. Roy বলেছেন বে property qualification পৰা হবে। আৰি বলছি property qualification গোবে। আৰি বলছি property qualification (পৰাই হবে ভাহলে ক্মজন adult ভোটাধিকার গাবে। কাজেই দৃষ্টভকীর গরিবর্ত্তন আবশ্যক। Property qualification basis এ বাবের vested interest আছে তারাই কেবলবাত্র ভোটাধিকারী হবে। স্বভরাং সে চিস্তা বাধা থেকে সরিবে দিতে হবে।

The Hen'ble Dr. BIDHAN CHANDRA ROY: Sir, may I correct my friend. I did not use the word "Property qualification" but "stay in India for six months".

# Sj. SIBNATH BANERJEE : बनाटन कि adult franchise करकड ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I wanted to correct you. I did not say Property qualification but stay in India for "six months"; I did not say six months' "enjoyment of the property but six months' stay in India for refugees who have come from East Bengsl".

8]. SIBNATH BANERJEE: আমি সে কথা বলিনি, যদি ৬ মাস পাকে তাহলে, সেই qualification হয়ে যায়। স্থানার মতে প্রত্যেক adult-এর ভোট হওয়া উচিত। স্থানোগ্য লোক যদি নির্বাচিত হয় তাহোলে তাদের টেনে বার করে দেওয়া উচিৎ; কিন্তু তা করতে যাঁরা গদিতে বলে আছেন তাঁরা ভয় পাচেছন। কাজেই কোন শীনীংসা হর না। কারণ, যাদের মনোনীত করেছেন তাঁদের অবোগ্যতা প্রমাণিত হয়েছে। আবার ও যদি তাঁদেরই মনোনীত করা হয় তাহলে একই অবস্থা থেকে যায়। কাঞ্চেই আমার মনে হয় যে, এটা ঠিক নয়, এবং এঞ্চন্য আমি ডা: ব্যানাঞ্জির সংগে আমি এক মত হতে পার্ছি না। Circular प्तिक्षात कि बार्स हरत है जोत भारत এই हरत या, बाँजा शिल्या तर चार्क छाँजांटे continue कत्रत्य । জামি বলছি জাপনারা direct responsibility নিন। Calcutta Corporation থা হচেছ তার জন্য এই Governmentই দায়ী। আমি এই অভিযোগ করতে পারি যে, সেখানে যা কিছু দুর্নীতি চলছে তার জন্য এই Government দামী। শিলিগুড়ি municipality আমরা চাই Governmentএব নিজের ছাতে নিয়ে নেওয়া হোক এবং তাঁরাই পূর্ণ দায়িছ নিয়ে চালান। এবং মনোনীত লোক নিয়ে যে বলবেন যোগ্য लाक निरम्रह्म ठा जामन्ना मानटउ न्नाकि नहे। उाँना जरमांगा लाक स्टबनरे। Calcutta Corporation নিয়ে অনেক resolution করা হয়েছে, কিন্তু সবই waste paper basketএ পড়ে আছে। তাই আমার शुकांव श्राप्त এই विरामन रहे कान मन्नकान नारे। Government निराम निराम निन । Calcutta Corporation আজ ৩ বংসর এইভাবে চলছে, কোন নির্বাচন করা প্রয়োজন মনে করছেন না। শিলিগুডি municipality তে তাঁদের nominated লোক খযোগ্য এটা তাঁরাই স্বীকার করছেন এবং তাঁদের ज्यत्यां गाउन डें अन premium नित्य याटाइन । उँग्लिन नित्य नित्य त्यंतिन यनि right of adult franchise ও right of recall করা হয় তাহ'লে শত্যিকারের solution হবে এবং improvement possible হবে। Right of recall যদি থাকত তাহলে সেখানকার মনোনীত লোকেদের এক থাককায় সরিয়ে দেওয় যেত ৬ মাস বা একবছর আগেই। Right of recall দিয়ে adult franchise করাresidential qualification যেটাৰ ভিত্তিতে Dr. Roy বলছেন ভোটাৰিকাৰ দেওয়া difficult হবে দেটা for the time being আমি নেনে নিচিছ। কে tax দিয়েছে না দিয়েছে এই পুশুের উপর জ্ঞার দেওরার मनकात नारे। य यथारन धारक रा राजधानकात citizen এই पश्चिमात (शरण municipality जानजात চালান যার। বাড়ীওয়ালা এবং ভাডাটিয়ার উভয়েরই ভোটের স্বানাধিকার হওয়া উচিৎ। এত বড় Calcutta Municipalityতেই যদি করতে পারেন তবে experimental measure হিসাবে শিলিগুড়িতে ভারম্ভ कक्रन मा (कन है त्रवारनं adult franchaise कता वदः right of recall (मध्या नवकातः। जनाजाद अब द्यान मीमाश्मा १८७ शादबना, काबन circulation (?) (मधबाब मार्टन time नाज़िस्ब स्मधबा। এর ফলে বাঁরা গদিতে বলে আছেন তাঁরাই থাকবেন। বাঁরা বর্তবানে আছেন তাঁরা বে' অবোপ্যতার পুনান দিয়েছেন এটা তো শীকৃত কথা, স্থতরাং তাঁদের আবারও nominate করলে কোন লাভ হবে না। স্বানে সমানে ৰুম্বক্ষেত্ৰে আত্মন এবং Government দায়িত্ব নিৰে municipality চালান। এখন শিলিগুডিৱ importance व्हार्फ शिरवरक, कावन Siliguri शरुक जानान, निवान, निवित्त न हीरनव नारान नारवानकन । কাজেই শিকিণ্ডত্বির অত্যন্ত importance ররেছে এবং 'পাকিস্থানের পুব কাছে, কাজেই এই municipality এইভাবে ছেড়ে দেওয়া যার না। দেখানে refugee সংবাণ্ড অভ্যন্ত বেড়ে দিরেছে। এই দেশিন Dr. Roy দেবে এসেছেন—তিনি ভাজার—health condition, সমুদ্ধে ভাল বোঝেন। তিনি নাকি কিছুই দেখতে পাননি। আমি ০ দিন আগে শিলিগুড়ি থেকে এসেছি। দেখানে লোকের অবস্থা এত খারাপ যে দেখানে বহারারী হবার আশংকা আছে এবং দেখানকার অবিকাংশ লোকই খেতে পাচেছ না। শিলিগুড়ি টাউনের অবস্থাও এত খারাপ যে, দেখানে বহারারী না হয়ে পারে না। অবিলয়ে দেখানে drastic measure নেওয়া দরকার। Government নাকি শেখানে ৬ মাস পরে ১৫ জন member nominate করবেন। এই ৬ মাসের মধ্যে অবস্থা from bad to worseই হতে থাকবে। স্কৃতরাং এই বিলটি scrap করে দেওয়া হোক। Government নিজ দায়িকে নিয়ে নিন, কারণ West Bengal Stateএর শুরু inter-provincialই নয়, inter-national importance রয়েছে। তাই আম্বা চাই ভারা নিজ দায়িকে কাজ চালান।

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to oppose the motiou for circulation.

The motion of Sj. Jyoti Basu that the Siliguri Municipal Commissioners (Extension of Term) Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 15th October 1951, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that the Siliguri Municipal Commissioners (Extension of Term) Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 1st November, 1951, was then put and lost.

The motion of the Hon'ble Jadabendra Nath Panja that the Siliguri Municipal Comissioners (Extension of Term) Bill, 1951, be taken into consideration was then put and agreed to.

#### Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

#### Clause 2.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 2, line 6, for the word "March" the word "December" be substituted.

## The Hon'ble JADABENDRA NATH PANJA: I accept it.

Mr. SPEAKER: The motion on the order paper is not moved and instead a short-notice amendment is moved. I allow this amendment to be moved.

The motion of Dr. Suresh Chandra Banerji that in clause 2, line 6, for the word "March" the word "December" be substituted was then put and agreed to.

The question that clause 2, as amended, do stand part of the Bill was then put and agreed to.

#### Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

### Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the Siliguri Municipal Commissioners (Extension of Term) Bill, 1951, as settled in the Assembly, be passed.

8j. JYOTI BASU: Mr. Speaker, Sir, I never thought that I would have to speak at this stage of the Bill, but unfortunately the Hon'ble Chief Minister made certain remarks for which I have to speak. Dr. B. C. Roy, the Hon'ble Chief Minister, has said that they are not Great Moghuls and, therefore, they have to abide by certain rules and, therefore, nothing could be done about the Siliguri Municipality and the appointed Commissioners, (The Hon'ble Dr. Bidhan Chandra Roy: I did not say that.) I agree there that they are not Great Moghuls—the Hon'ble Chief Minister and his friends in the Ministry—but certainly they are little Moghuls.

Mr. SPEAKER: That is beside the point.

8j. JYOTI BASU: There is no doubt about that and the way in which they have been acting should have made it clear to Dr. Roy that what I am saying is true because, as has already been mentioned by Sj. Sibnath Banerjee, what they have done in the Calcutta Corporation is certainly not the work of democrats but the work of Little Moghuls. What they have done with regard to civil liberties in the country and detaining persons without trial is certainly the work of Little Moghuls—if not greet ones. But I shall leave that subject because I also agree with you, Mr. Speaker, that this may be beside the point, but as the Hon'ble Chief Minister raised it, I wanted to remind him that they are Little Moghuls.

Sir, he has said that I have not studied the whole subject. I have studied it. My first point was, as I said, that franchise should be extended. There is no answer to that. Time and again I have made this point in this Ilouse, but there is no answer as to why in the different Corporation and municipalities we cannot elect municipal commissioners through adult franchise. That answer also is not forthcoming today from the Hon'ble Minister. That would not have taken time. It can be done within 24 hours and it would be the work of great democrats and not Great Moghuls if they did it.

Secondly, I tried to point out that these appointed commissioners—these nominated commissioners—should not continue for a longer period than was absolutely necessary. Again I repeat that at least what they could have done today was to extend the life of these commissioners, say, till the next election in February by which time the election would be over and they could have at least left it to the next Government to appoint the commissioners. At least that much they could have done and I for one am not prepared to give this power to the Government that their appointed and nominated commissioners shall continue for one and half years. By then many of those Ministers sitting over there would not be in this House—I am sure of that—but their handmaid will continue. I am against that.

Therefore, I again oppose this Bill even at this stage.

Dr. SURESH CHANDRA BANERJI: Sir; Government কাব্যত: আবার পুত্তাব নেনে নিয়েছেন বলে আমি Governmentকে আন্তরিক ধন্যবাদ জানাচিছ। সজে সজে এই কথাটা বলতে চাই যে আমি কোন motion put করি নাই; কিন্ত বজুতা পুসঙ্গে বলেছিলান যে বর্ত্তমাং আবার সেই বনোনীত এও জন commissionerএর হাতেই শিলিগুড়ি বিউনিসিপালিটির শাসনভার রেখে দেওয়া রোটেই সঙ্গত নয় । সেইজন্য বজুতা পুসঙ্গে বলেছিলান Governmentএর কর্ত্তবা হবে যে বর্ত্তমানে বাঁবা commissioner আছেন তাঁদের জারগায় নূতন commissioner নিমুক্ত করা । এবং এ কথাও বলেছিলান যে শিলিগুড়িতে এবন বহু লোক আছেন এবং Government যদি চান তাঁদের নাম করতে পারি—বাঁরা জনগণের সঙ্গে সম্পর্ক রাখেন, জনগণের বেবা করেব; —এই বরনের লোককে বদি Government বনোনীত করেন তবে বোব হয় এই শিলিগুড়ি বিসিগালিটির কান্ধ বর্ত্তাবে বেতাবে চঙ্গাহে তার বেকে জনভাবে চঙ্গান্তে পারবে। এই জনুরোক

আনি বছুতা পুনকে Governmentএর নিকট ক্লেছিলান। আনার দুইটা পুতাব ছিল—এক, নির্বাচনের তারিখ পিছিলে দেওয়া, এইটা Government নেনে নিয়েছেল; আর বর্তবানে বে সমন্ত commissioner আছেল তানের আনগার নুতন commissioner নিমুক্ত করা। তবে একখা বলতে চাই না যে, বর্ত্তনানে বাঁয়া commissioner আছেল তাঁরা সকলেই অক্সম, অপটু, এর মধ্যে কেউ কেউ সক্ষম আছেল কিন্ত অধিকাংশই অক্সম। তাই দুই বংসারের বধ্যে নির্বাচন করা সমত্র হয় নাই; স্কুত্তরাং এই দুইটা Governmentএর কাছে অনুরোধ করেছি। আর যে কথা বন্ধুবর জ্যোতিবারু বলেছেল; বলি সম্ভর হয় এর মধ্যে এইবার বখন নির্বাচন হবে তথন সব পূর্ণবরক্ষ লোকেদের ভোটের অধিকার মিউনিসিপালিটিছে দিতে হবে। তা যদি না করা হয় পূর্ণবরক্ষ লোকেরা ভোটের অধিকার না পায়, তবে কোন মিউনিসিপালিটিছে তালভাবে কাজ করা সমত্র নয়। যমন আমাদের Calcutta Corporationএ সম্ভর হয় নাই। Government হাতে নিম্নেও পারেন নাই। ১৯৩২ সালে পূর্ণবয়ক্তরা ভোটের অধিকার পায় নাই। স্কুত্রাং আমি এই দুইটা অনুরোধ করেছিলাম। এই দুইটা অনুরোধ Government ভালভাবে বিবেচনা করবেন। আমি সকলকে বদলাতে বলছিলা। কিছু কিছু লোককে বদলিয়ে নুতন commissioner দের হাতে শিলিগুড়ি মিউনিসিপালিটির কার্যাভার দেওয়া উচিং। ১৯৫২ সালের ১৯নে December যে নির্বাচন হবে, সেটা যাতে wider franchiseএর ভিত্তিতে হতে পারে, যাতে সমন্ত পূর্ণবরক্ষর। ভোট দিছে পারে তার ব্যবস্থা Governmentএর করা উচিং। তা যদি করতে পারেন ভাহলে Government

8j. ANNADA PROSAD CHOUDHURY: নাননীয় শ্লীকার মহোদয়, এই Bill সয়য়য় দুটা আপত্তি উঠেছে। একটা হচেছ নির্বাচনের সয়য় নিয়ারণ সেটা সয়কার য়েনে নিয়েছেন।

হিতীয় আপত্তি হচেছ বর্তমানে যে সমস্ত মনোনীত সদস্যর। শিলিগুড়ি মিউনিসিপালিটিব কার্য্য পরিচালন। করছেন তাঁদের বিরুদ্ধে নানারূপ অভিযোগ থাকায় তাঁদের পবিবর্ত্তন দাবী করা হয়েছে।

এই বিষয়ে আলোচনা হওয়ার সময় মাননীয় পুধান মন্ত্রীমহাপায় এইন্ধপ উক্তি করেছিলেন যে বর্ত্তমানে যে সমস্ত nominated commissionerগণ Siliguri Municipalityতে আছেন তাঁদের কি আমরা তিস্তার জলে তাসিয়ে দেব ? এই ধরণেব কথা আমরা তাঁর মত লোকের কাছে থেকে আশা করিনি।

শিলিগুড়ি Municipal Commissionerদের বিক্রম্ধে যদি কোন অভিযোগ জনসাধারণ করেই পাকে তা'হলে মন্ত্রীমহালয়ের এইকাপ বলা উচিৎ ছিল যে আপনাদের অভিযোগগুলি আমার কাছে দিন আদি সমন্ত বিবেচনা করে দেখবা এবং দরকার হলে Municipalityকে supercede করবো, এবং সে অধিকার তাঁদের আছে যেবন in the public interestua জন্য ২৪-পরগনা বোর্ডকে dissolve by notification করে দিয়েছেন। তাঁরা এখন পর্যান্ত কলিকাতা Municipalityকে supercede করে সমন্ত কার্যান্তার নিজেদের হাতে রেখে চালাচেছ্ন। এখানকার সমন্ত commissionerগণকে বিদায় করে দিয়েছেন। Siliguri Municipalityর বেলারগু পুয়োজন হ'লে এইকাপ করতে পারেন। তিনি তা'না বলে, বলেলেন আমি কি এই সমন্ত commissionerগণকৈ তিন্তার জনে কেনে দেব। তাঁর পক্ষে এইকাপ বলা মোটেই শোভা পায়নি।

সত্য সতাই যদি এই ১৫ জন commissionersদের বিৰুদ্ধে জনসাধারণের অভিযোগ থাকে এবং তাঁরা বদি সরকারের গোচরে সেই সব জানতে বলেন, তাহদে জামি বলব গভর্ণবেনট জনসাধারণের কাছে প্রস্ক আছা লাভ করতেন। যদি তাঁরা বলেন যে জনসাধারণের এই সমস্ত অভিযোগ তাঁরা বিচার করে দেখবেন এবং পুরোজন হ'লে Siliguri Municipalityকে supercede করবেন এবং এই সমস্ত commissionersদের সরিয়ে দিয়ে জনসাধারণের মতে Municipality চালাবেন তবেই শোভন হত। বোধ হয় তিনি জ্যোতিবাবুর কথায় রেগে গিয়ে এই রক্ষ কথা বাদেছেন। স্থতরাং আমি তাঁকে অনুরোধ করি তিনি যেন পুনরায় এ বিষয় বিবেচনা করে দেখেন।

Sj. BIRENDRA NATH ROY SARKAR: মাননীয় শীকার মহালয়; আলকে শিলিগুড়ি বিউনিদিপালিটি গম্মজে বে কতকগুলি স্মানোচন। নাননীয় বছুবররা করেছেল তা বোধ হয় তাঁর। সমস্ত বিষয় না লেনেই করেছেন। স্থোনে এখন কতকগুলি circumstances এসে পড়েছিল যার জন্য commissionerপাণ বাব্য হয়েই এইরূপ পেরি করেছিলেন; তাঁর। ইচছাকৃত এইরূপ কিছ করেনি। প্রথমত: (lovernment এর মে panel of assessorsধনর list দিয়েছিলেন তা খেকে শুনীবিভূতিভূমণ যোগ নহাপ্যকে assessor নিমৃক্ত কর;

হয়। তিনি কিছু কাল করে ছেড়ে দেন। তার পর papel খেকে পুনরার জলপাইগুড়ির আর একজন pleader চাল্লবাবুকে Assessor নিযুক্ত করা হয়। কিছু তিনিও ঠিক সররের রব্যে কাল করে উঠতে পারেন নাই। তারপার স্থানীয় pleaderদের রব্যে খেকে একজনকে নিযুক্ত করা হয়। স্থান্তরাং দেখা বাচেছ commissionerগণ ইচছা করে এইরূপ দায়িখনীল কালে অবহেলা করেনি। বাননীয় সদস্যগণ সরস্ক ব্যাপার না জেনে অন্যের মুখে গুনেই কবিশানারকের বিক্লছে এই সরস্ক সমালোচনা করেছেন। কিছুকাল আগে নিলিগুড়িতে দাজিলিংএর Deputy commissioner স্থানীয় প্রতিনিধিদের তেকে জিল্লানা করেছিলেন বে, বে সরস্ক ভোটার আছে তাদের দিরেই নির্বাচন করার জন্য কিছু এতে তাঁরাই আপত্তি করেছিলেন। কারণ এখন বে সভন্ত ভোটার আছে তাদের দিরে নির্বাচন করার জন্য কিছু এতে তাঁরাই আপত্তি করেছিলেন। কারণ এখন বে সভন্ত ভোটার আছে তাদের দিরে নির্বাচন করালে তাদের সকলের স্থাপ্ত আঘাত পড়বে। বর্ত্তরানে বাঁরা ভোটার হয়েছেন তাঁরা পুায় সকলেই substantial men, তাঁরা সকলেই tax দিয়েছেন। আর বাঁরা আলোলন করছেন; আনাদের বব্যে, বালানীয় বব্যে তাঁদের জনেকেই tax দেয় নাই। তাঁরাই বলেছিলেন ভোট দিবার সময় বৃদ্ধি করে দেওয়া হোক। তাতে তাঁদের সুখি রক্ষা হবে। Government যথেই সময় দিয়েছেন এবং আরে সময় দিতে চাচেছ্ন; স্থানাং এর উপর আর কোন আপত্তি থাকতে পারে বলে আমি বনে করিনা।

The motion of the Hon'ble Jadabendra Nath Panja that the Siliguri Municipal Commissioners (Extension of Term) Bill, 1951, as settled in the Assembly be passed was then put and agreed to.

# The West Bengal Evacuee Property (Amendment) Bill, 1951.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, Sir, I beg to introduce the West Bengal Evacuee Property (Amendment) Bill, 1951.

(The Secretary then read the short title of the Bill.)

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I beg to move that the West Bengal Evacuee Property (Amendment) Bill, 1951, be taken into consideration.

Sir, the Indo-Pak Agreement provided that the rights of ownership in or occupancy of the immovable property of a migrant shall not be disturbed and if during his absence such property is occupied by another person it shall be returned to him, provided that he comes back within the 31st December, 1950. In exceptional cases if the Government considers that a migrant's immovable property cannot be returned to him the matter shall be referred to the appropriate Minority Commission for advice. Where the restoration of immovable property to the migrant who returns within the specified period is not found possible the Government concerned shall take steps to rehabilitate them. That was the provision of the Agreement between the Government of India and the Government of Pakistan regarding the migrant's property. Now in the Evacuee Property Act—we must acknowledge that the drafting lacked precision in this respect—it was provided in section 5 that "the Collector may provide for the return of the land". Now, Sir, the word "may" used therein gave the Collector some option to return the land to the migrant or not and that lacuna has got to be cured and therefore this amendment has been brought forward and this amendment provides "that the Collector shall return the migrant the land if he returns within the specified period". That makes the provision mandatory and it will now be exactly in line with the Indo-Pak Agreement. That is the only purpose of this small Bill and I hope there will be no objection to this Bill being passed.

8]. SIBNATH BANERJEE: ুউই বিলাচ আৰু আনার কোন পুরোজন হতোই না, বলি আগে বে বিলাচা আনা হরেছিল লোচা একটু বিবেচনা করে তেবে চিন্তে আনা হতো। এই "may" and "shall" নিবে এত বাবা আবাতে হতো না। অবণা এর হারা আবাবের বহাতা গাছীর famous expression—may means shall কথাটা বনে ক্রিবে দিচ্ছে। আগেই একজন Legal Professionএর লোককে জাঁরা consult করতে পারতেন,

र्थरपत्र (pointing to the Ministers) निरम्पान नरवात न्'हात्रमन so called lawyer सरवात्र কিছ তা পাৰ্কলে কি হয়—তাঁরা এসৰ বিল পড়বার সময়ই হয়ত পান না। It is sheer waste of time and public money छ। ছাড়া चात्र किछूरे नत । छीत्रा निरक्रापत बुंद वड़ वड़ lawyer वरन बरन करता कि कास्वत विनात जीता अठरे incompetent (व अक्ट) विन भाग कतात जिन वारात वरवारे अक्ट) व्यप्ति simple matter mays कांग्रगांव shall कानांत गः(नांवन कानएं हरना । এই shallas विष এए वहकांत ছিল তবে তখন করেননি কেন ? ব্যাপারটা হচেছ এই যে ওঁরা নিজেরা ত draft করতে পারেনই না কোন experienced lawyerus कारहाउ बान ना। (The Hon'ble Dr. Bidhan Chandra Roy: ঠিক !! ঠিক !!) আবার ঠিক ঠিক করছেন, আপনাদের লক্ষমা পাওয়া উচিত। একটা সামান্য আইন পা॰ করতে এত গোলমান, একটা অতি simple জিনিয—সেই জনাই জাপনাদের incompetancy টা আরো বেনী करत बता शरह । It is sheer waste of time and money, এत कि नतकात हिन । निरम्बता यपि incompetent इन, किन्ह बाँट्रेंबर्ड ज्यान जान जारेनक जारकन, जारक संबंध विमानिक जारक, जारक जारक পরামর্শ করে এ আইনটা আনতে পারতেন। যদি proper legal authorityর হারা বিলটাকে ঠিক করে নিয়ে जारान जामता दिना राका दारा এটা পान करत रात । निरामता नाना कारण दान्य--- जारान जाराना रात्र इय. ज्यानक स्नायशाय ज्यानक जाडार्थना reception निष्ठ इय, कुछ ग्रेव opening ceremonyty preside করতে ধ্যা, রেডিওতে speech দিতে হয়,—এত সব কাছ করে বিল ঠিক করে আনার দিৰে মনোবোগ দেৱার সময় কোধায় ? স্নুতরাং আমি আবার বলছি—can they not go to some lawver or legislator ? টাকা দিয়ে proper legal opinion নিয়ে তারপর স্বানাদের কাছে স্বাস্থ্য-নইলে, এট highly irritating to us and to the public-তৰন তাঁৰা High Court or Supreme Court (शंदक श्वरंश) त्थारा व्यापन, चात्र वरनन, विहासक ना वमनारन हरन ना । It is public admission of failure and incompetency.

Janab MD. KHUDA BUKHSH: Sir, this is a matter which touches me in my capacity as a representative of this House to the Minority Commission. The Hon'ble Minister in charge of the Bill has handsomely admitted before the House that there has been a lacuna to cure and that this Bill has been brought with that end in view. Sir, I am afraid what is playing at the back of my friend Mr. Banerjee's mind is that he wants to delay the passage of the Bill (Sj. Sibnath Banerjee: No.) and to use his eloquence and reasons as a subterfuge he has brought in certain other matters which are extraneous to the issue because he knows it as well as any other member of this House knows it that the returning migrants have come and preferred their applications under the provisions of the Delhi Pact and in certain circumstances doubts have arisen because of the option that the district authorities feel that they have in the matter on account of the unfortunate word "may" to be replaced by the mandatory or obligatory word "shall". Because of that restoration has not been as brisk as possible. would urge as a member of the Minority Commission and a representative or the House to that body that this Bill should be passed without any further objection or further speeches in order to strengthen the hands of Government, to strengthen the Delhi Pact and to remove the doubts from the minds of the district authorities who have been charged with actual restoration of the property to the migrants and remove any vestige of shadow of doubt as to whether they can use any discretion that they have in the matter. Therefore I most humbly place before the House that my friend Mr. Banerjee possibly wanted to delay the restoration further and that is why he has asked the House to postpone the consideration of the Bill till such time as he or the Government after seeking advice from him or his party should get competent legal advice comprehensively on the Bill so that it would be absolutely faultless and without any lacuna. This is a matter which touches vitally and deeply a great number of people who have been rendered homeless and who have got to be rehabilitated and restored to their houses.

- Sj. SIBNATH BANERJEE: On a matter of personal explanation, Sir. The honourable member who has crossed the floor makes a suggestion which I have repudiated and even after that he persists on. That shows his crooked mind as was the case when he could not give a proper account. When an honourable member repudiates he has no right to do that.
- Mr. SPEAKER: Order, order. Mr. Banerjee, I ask you to withdraw the expression "crooked mind".
- SJ. SIBNATH BANERJEE: All right, Sir. But that shows the viciousness of his mind.
  - Mr. SPEAKER: You must withdraw that expression also.
  - Sj. SIBNATH BANERJEE: এটা দৃষিত মনের পরিচয়।
- Mr. SPEAKER: Order, order. I regret that you have again attributed a motive to a member of this House. You must withdraw it.
- 8]. SIBNATH BANERJEE: Sir, he started imputing a motive on me and I repudiated, and even then he went on doing the same. Let him withdraw first. Why should he say, this is with an ulterior motive. He has no right to make that allegation when I say, no.
- The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not think he used the expression "ulterior motive". He said that his object was to make delay.
- Mr. SPEAKER: The words "crooked mind", "vicious mind" are unparliamentary.
- 8j. SIBNATH BANERJEE: 1 have withdrawn them but I say এটা পূথিত মনের পরিচয়।
- Janab MD. KHUDA BUKHSH: Sir, he has laid a grave charge. He has said that I have swallowed Government money. I most emphatically repudiate that and draw your attention to it.
- 8j. SIBNATH BANERJEE: He has not given a proper account of the money and that has been admitted by the Chief Minister. Let him answer the Chief Minister.
- Mr. SPEAKER: I cannot allow this state of affairs to go on. If you want to make any statement you can do that but you should not attribute motive or cast aspersion on any other member.
- **Sj. SIBNATH BANERJEE:** But those who are living in glass-houses should not throw stones at others.
- 8j. CHARU CHANDRA BHANDARI: On a point of order, Sir. जामाराम একথানা বই এথানে বিলি করা হয়েছে। তার নাম হচেছ—"Parliamentary Etiquette". তার Page 9এ একথা আছে—asking Opposition to take responsibility for delaying measure. এটা unparliamentary বলে এই তালিকাম পেওয়া হয়েছে। I am now asking your opinion এই বে delaying tactics জনাব খোলাবন্ধ তার বজ্তার বলেছেন এটা parliamentary হয়েছে কিনা ? (Interruption) বইতে আছে—asking Opposition to take responsibility for delaying measure—Page 9এ আছে,—কিন্ত উনি "delaying tactics" এই কথা ব্যবহা ক্ষেছেন। আমি ruling চাচিছ আপনার কার্যে এটা parliamentary হয়েছে কিনা ?
- Mr. SPEAKER: Well, the question regarding a point of order is raised as soon as the expression is used because then a person can give his

attention to the exact word used. I do not know the context of the thing now and therefore I cannot give a decision at this stage. Let us go on with the Bill.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, there is very good reason why the word "may" was used in the first instance. The first clause of the Indo-Pakistan Agreement no doubt says that the migrant's property shall be returned to him. But in the second clause it is provided that if restoration of the immovable property to the migrants who returned within the specified period is not possible, Government concerned shall take steps, etc. It further provides that in exceptional cases if a Government considers that a migrant's immovable property cannot be returned to him, the matter may be referred to the Minority Commission. Therefore, the idea was to vest the authority with some discretionary power, because in some cases, at least in exceptional cases, the migrant's property could not be returned to him. Therefore, the word "may" was used and the the "may" was sued by our legal experts, not by myself or any other lay man. But doubts have arisen and because doubts have arisen in respect of the use of the word "may", therefore the matter requires clarification and we have brought forward this Bill. Sir, I have admitted it before that we are human and we may make mistakes, but, Sir, I could not imagine that gods could descend to vilification.

The motion of the Hon'ble Rai Harendra Nath Chaudhuri that the West Bengal Evacuee Property (Amendment) Bill, 1951, be taken into consideration was then put and agreed to.

#### Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

#### Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

#### Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

#### Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that the West Bengal Evacuee Property (Amendment) Bill, 1951, as settled in the Assembly, be passed.

The motion was then put and agreed to.

# The Cooch Behar Disturbances Enquiry Bill, 1951.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the Cooch Behar Disturbances Enquiry Bill, 1951.

(The Secretary then read the short title of the Bill.)

The Hón'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Cooch Behar Disturbances Enquiry Bill, 1951, be taken into consideration.

The position is that in pursuance of the decision to have an enquiry held by a Judicial Officer into the circumstances relating to the police firing which took place at Cooch Behar on the 21st April, 1951, and other cognate matters, the Government of West Bengal appointed the Hon'ble Mr. Justice S. N. Guha Roy of the Calcutta High Court to hold an enquiry.

It was necessary for the Judicial Officer to have certain powers of a Court and he was vested with the powers by the Cooch Behar Disturbances Enquiry Ordinance, 1951 (West Bengal Ordinance IV of 1951), promulgated on 12th June, 1951.

The Judicial Officer has not yet concluded his deliberations. It is desirable that he should continue to have the powers now vested in him till the enquiry is finished and the report is submitted to Government. The Bill is intended to enact the provisions of the aforesaid Ordinance so that the Judicial Officer may continue to have the powers now vested in him.

8]. SIBNATH BANERJEE: এই যে এটা পুধান মন্ত্ৰী মহাপম এনেছেল তাতে আনার পুরে।
লম্বর্ধন আছে। কিছ একটা জিনিসের পুতি এই Houseda, পুধান মন্ত্ৰীর বিশেষ করে, পৃষ্ট আকর্ধণ করছি,
ভাষচেছ এই যে, ২১শে এপ্রিল ব্যাপারটা ষ্টেছে, আর এই মানবার মীনাংল। চুতে হয়তো September,
Ootoberও হয়ে বাবে। একটা report আনাদের সামনে এসেছে—তা আনি বুধতে পারি না। দেরী হয়েছে
মানা কারণে। আমি আপনাদের Presiding Officer সম্বন্ধ কিছু বলছি না। তাঁর responsibility
যে শুরুতর তা আরম্ম জানি। এই বিপোর্টের যদি কোন মূল্য থাকে তবে তাড়াতাড়ি করা দরকার, যত
ভাজাভি expedited হয় ততই তাল, কারণ তা না হলে, সাার, if you look at the other side
of the thing, দেখবেন বাঁদের suspend করা হয়েছে এবং বাঁদের উপর stigma দেওয়া হয়েছে তাঁদের
পুতি অবিচার করা হয়। আমি শুধু এই বলব যে, পুধান মন্ত্রী এই চেটা ককন যাতে এর উপর তাড়াতাড়ি
ection নেওবা হয়। I plead with the Hon'ble the Chief Minister.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the Cooch Behar Disturbances Enquiry Bill, 1951, be taken into consideration was then put and agreed to.

#### Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

#### Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

#### Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

#### Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

#### Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN GHANDRA ROY: Sir, I beg to move that the Cooch Behar Disturbances Enquiry Bill, 1951, as settled in the Assembly, be passed.

The motion was then put and agreed to.

Mr. SPEAKER: May I know the desire of the House if they wish to continue now?

8j. JYOTI BASU: No, Sir, we do not wish to continue.

Before we break up, I would like to have your ruling as to when we can submit our last amendments to the Calcutta Municipal Bill and other Bills—specially the Security Bill and the Tramways Bill.

Mr. SPEAKER: You please see me in my chamber tomorrow and then I will let you know.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, let us proceed with one more Bill.

Mr. SPEAKER: All right.

# The West Bengal Secondary Education (Second Amendment) Bill, 1951.

The Hon'ble Rai 'HARENDRA NATH CHAUDHURI: Sir, I beg to introduce the West Bengal Secondary Education (Second Amendment) Bill, 1951.

(The Secretary then read the short title of the Bill.)

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that the West Bengal Secondary Education (Second Amendment) Bill, 1951, be taken into consideration.

Sir, if you refer to section 37 of the West Bengal Secondary Education Act, you will find that there are two obvious misprints in sub-clauses (l) and (m). Instead of the words "Examination Committee" the words "Syllabus Committee" should have been there.

For books will not surely be prescribed by the Examination Committee but by the Syllabus Committee. Therefore in sub-clauses (1) and (m) for the word "Examinations" the word "Syllabus" is going to be introduced. Apart from that there is a proviso to section 37 and in that proviso it is stated that the schools recognised before the dute of the commencement of the Act will continue to be recognised, etc., etc. But if you refer to section 2 of the Secondary Education Act it will be seen the recognising authority before the first meeting of the Executive Council was the University so far as the High Schools were concerned. Now, the words that found place in the proviso to section 37 were "from the date of the commencement of the Act". Evidently there is a hiatus—a gap—between the two dates. Therefore the proviso has to be recast and it has to be provided that their previous recognition should cease not from the date of the commencement of the Act but from the date of the first meeting of the Executive Council. In other words it is to bring the proviso into a line with section 2 of the Act that this amendment has been brought forward and I hope there will be no objection to the proposed amendment.

8j. SIBNATH BANERJEE: আনার পকে এটা অতাত unpleasant task হবে, কিছ তবু ২-৪টা কথা বলবে হবে। আগেরটা সহত্বে বা বলেছি এটা সহত্বেও তাই বলব। আদি বেশী repeat করব না তাৰু একটু edd করব। এই criminal mistake include করা জন্য কে দানী Ministers or the printer's devil, who is responsible, why he should not be punished? (The Hon'ble Rai Harendra Nath Choudhuri: What about the members?) আপনালতে আপনালের ফটি বীকার করবেন না, একজন proof reader তো আছে, তাকে, পেৰিবে

নিলেইতো হর, তাহলে আর তুল হর না। আরম্ভা বদি পাশ করেই থাকি তাহলেও আননার তাই উনতি পালটে কি করেন তা আরম্ভা পেবতে পাই না। বদি তা দেখতে পাওয়া বেত তাহলে দেখা বাবে করি ভূল আরি বলছি অন্ততঃ একজন proof reader রাধুন।

The motion of the Hon'ble Rai Harendra Nath Chaudhuri that the West Bengal Secondary Education (Second Amendment) Bill, 1951, be taken into consideration was then put and agreed to.

#### Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

#### Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

#### Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

#### Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

#### Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that the West Bengal Secondary Education (Second Amendment) Bill, 1951, as settled in the Assembly be passed.

The motion was then put and agreed to.

## Adjournment.

The House was then adjourned at 7-10 p.m. till 3-30 p.m. on Tuesday, the 18th September, 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 18th September, 1951, at 3-30 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 11 Hon'ble Ministers and 67 members.

## Supplementaries to (Short Notice) Question No. \*1(a).

3j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if there is any standard for declaring any area as suffering from famine condition or where famine condition prevails?

The Hon'ble PRAFULLA CHANDRA SEN: Yes, when there is absolute scarcity of rice and other food-grains according to the Famine Code.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state what are the main principles laid down therein for declaring any area as suffering from famine?

The Hon'ble PRAFULLA CHANDRA SEN: The first condition is that there is absolute scarcity of foodgrains.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state as to what he means by saying 'absolute scarcity'? What is the criterion for determining that?

The Hon'ble PRAFULLA CHANDRA SEN: That is to say, food-grains are not available in the local market.

8j. CHARU CHANDRA BHANDARI : বাননীয় বহী বহাশর দরা করে বলবেন কি Famine Code অনুসারে যে searcity সে searcity বর্তমানে এ রাজ্যের মধ্যে কোন জায়গায় আছে কিনা ?

The Hon'ble PRAFULLA CHANDRA SEN: সকে বলতে পারব না।

Dr. SURESH CHANDRA BANERJI: বাননীর বহী বহাণর পরা করে বলবেন কি জলপাইগুড়ি বৰবে ১৪ই লেপ্টেবর থেকে ৯ জন লোক statutory rationing দাবি করে Deputy Commissionerএর বাড়ীর সারনে hunger strike করে বলে আছে কি না ?

The Hon'ble PRAFULLA CHANDRA SEN : ই। আনি এই সক্ষ একটা বৰুগ পেৰেছি ৰে কজন লোক সেবানে hunger strike কয়েছে।

Dr. SURESH CHANDRA BANERJI: এই statutory rationing দাবি করে যার৷
hunger strike করে বংগ আছে, নমী বহাপর জানেন কি বে তালের অবস্থা ক্রমণ: গারাপের দিকে বাছেত্

The Hen'ble PRAFULLA CHANDRA SEN: এবানে বে প্রশুটি উণ্বাপিত হরেছে তার সঙ্গে এই supplementary প্রশ্বের কোন সম্পর্কই নাই।

Dr. SURESH CHANDRA BANERJI : বানবীর বহী বহাবর অনুগ্রহ করে বনবেন কি অসপাইগুড়ি অেলার যুববুরি থানার অনেক একেকার বর্তমানে চালের মণ ১০০১ টাকা উঠেছে ≀

The Hen'ble PRAFULLA CHANDRA SEN: কোৰাও চালের বৰ্ণ ১০০১ হরেছে এ ব্ৰর আহি বাই লাট।

Dr. BURESH CHANDRA BANERJI : नहीं नश्नेष व्यवश्र वाहरून कि शृत कान इन्दर काश्रास्त्र (A एठाट्ट : त्कान क्षेत्रस्य १) बीमनवाजिति विसिद्धाद धेरै बनन्छ। ?

The Hon'ble PRAFULLA CHANDRA SEN: বেরুতে পারে, আবার দৃষ্টতে পড়েনি!

**SJ. KHAGENDRA NATH DAS GUPTA:** Will the Hon'ble Minister be pleased to state whether it is a fact that even a week ago the price of rice was varying from Rs. 50 to Rs. 80 in the hats and bazars of the district?

The Hon'ble PRAFULLA CHANDRA SEN: So far as I have received information, the average market price in the district of Jalpaiguri has been varying from Rs. 40 to Rs. 60.

be pleased to state whether he received telegrams from the Chairman of the Jalpaiguri Municipality, Secretary to the Jalpaiguri Bar Association, and other Associations regarding the gravity of the food situation there and also a letter from the Chairman of the Jalpaiguri Municipality, dated 12th September, wherein it was stated, "The food situation in Jalpaiguri town and mofussil areas is very serious and alarming. Rice is not available at Rs. 60 and as such most of the people of the town and villages are on the verge of starvation. This unhappy state of affairs demands immediate action from you in order to prevent deterioration of the situation."

The Hon'ble PRAFULLA CHANDRA SEN: I have received various telegrams from various organisations, including the President and the Secretary of the Jalpaiguri District Congress Committee. I have answered that 6,63,000 people in Jalpaiguri are under modified rationing. The population of Jalpaiguri is 9,88,000 out of which 3,25,000 are under statutory rationing and 6,63,000 are under modified rationing.

Dr. SURESH CHANDRA BANERJI: Supplementary question, Sir---বালনীর
নহাদন দ্বা করে বল্বেন কি জলপাইছেড়ি জেলার এই যে চালের বর আক্লিমক থেড়ে গেল, তার কারণ
কি ?

The Hon'ble PRAFULLA CHANDRA SEN: এর কারণ হচেছ্ যে আমরা modified rationing পুথবে অলপাইগুড়িতে দেড় সের করে দিতান। আমরা সেটা বাড়িয়ে দু'সের করি এবং সম্প্রতি এই instruction পারিয়েছি যে অলপাইগুড়ি সহরে ration আরও বাড়ান হোক। আমাদের মর্থানার করেছি। লর চছার কারণ হচেছ, আমার ননে হয় লোকে বাজারে বিন্তে বার কিছ marketa চাল কিন্তে পারে না। ৯ লক ৮ হাজার লোক অলপাইগুড়িতে, তার মধ্যে ৩ লক ২৫ হাজার লোকের চার্বামান্তে পারে না। ৯ লক ৮ হাজার লোক অলপাইগুড়িতে, তার মধ্যে ৩ লক ২৫ হাজার লোকের চার্বামান্তে পারে না। ৯ লক ৮ হাজার লোক অলপাইগুড়িতে, তার মধ্যে ৩ লক ২৫ হাজার লোকের চার্বামান্তে পারে না। কর্মান্তির স্বামান্তির স্বামান্তির

Dr. 8URE8H CHANDRA BANERJI: বাননীর নহী বহোগর গরা করে বল্বেন कि চালের গর বাতে বৃদ্ধি না হতে পারে, সেজনা গঞ্জনিবংটের পক থেকে কি কি ব্যবস্থা করা হচেছ?

The Hon'ble PRAFULLA OMANDRA SEN: আনি এইবাত বলেছি বে পেই জোনার কালক ৮ হাজার লোকের নবে। ৩ লক ২৫ হাজার লোককে etablictory rationing দিছিছ। নেজানকার বর্তবান অবস্থা বুরেই নেখানের rationing বাত্রা আরও বাড়িবেছি, সহরে। বর্ত্তনারে আবন্ধ লাকরে লাককে বাত্তিবার বাত্তা করেছি। নাট ৮ লুক্ত ৬০ হাজার লোককে rationing ব্যবহার রাখা হরেছে। এর বেশী আর কিছুই ক্রতে পারি না।

Dr. SURESH CHANDRA BANERJE: स्रामीत सी वहांचन वनायक कि । সক্ষ ১৮ হাজার ক্ষেত্রক কেন modified rationing পেওল। সূচেছ আর ও বন্দ ২৫ হাজার লোককে কেন statutory, rationing পেওল। হচেছ?

The Hon'ble PRAFULLA CHANDRA SEN: তा offhand बना नक ।

SJ. SIBNATH BANERJEE: এই যে modified rationing দেওৱা হচেছ বৰ্ত্তন সৌচ কৰে থেকে দেওৱা হচেছ।

The Hon'ble PRAFULLA CHANDRA SEN: আনার যতদুর বনে পড়ছে, তার থেকে বলছি March কিয়া Pebruary থেকে আরম্ভ হয়েছে। প্রথমেই অবশ্য ৬ লক্ষ ছিল না—তারপর ১ লক্ষ্, ২ লক্ষ, ০ লক্ষ করে বেড়ে বেড়ে ৬ লক্ষ লাভিয়েছে।

8j. SIBNATH BANERJEE: वर्डमान কোন তারিখ থেকে।

The Hon'ble PRAFULLA CHANDRA 8EN: বর্ত্তমানে কোন তারিখ থেকে বে এই সংখ্যা দাঁড়িয়েছে সেটা, আমাকে দেখে বল্তে হবে। আমার যতদূর মনে পড়ে যে Augustএর পুথনে আবি দেখেছিলেন যে ৪ নকে উঠেছে।

8j. SIBNATH BANERJEE: মাননীয় নম্বী মহাপথ অবগত আছেন কি যে ৯ই Auguss তারিবে চালের দরের বৃদ্ধির বিরুদ্ধে দেখানে একটা হরতাল হয়েছিল।

The Hon'ble PRAFULLA CHANDRA SEN: হতে পারে।

Sj. SIBNATH BANERJEE: মন্ত্রী মহাশার কি জানেন যে আজও জলপাইগুড়িতে হরতার, চলেছে চালের দর বৃদ্ধিব বিরুদ্ধে ?

The Hon'ble PRAFULLA CHANDRA SEN: কিন্তু আমার ধবর এই এখানে আস্বার ২ বণ্টা আগে যা পেয়েছি from Deputy Commissioner, Jalpaiguri, ভাভে ভিনি জানিরেছেন বে জনপাইগুভিতে সংব্রু চালের দর কমছে।

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্ৰী সহাপয় পৰা করে বলবেন কি কমেক দিন আকে গভৰ্ণবেশ্টের পক্ষ বেকে বে Press-note বের করা হয়েছে ভাছে "It is interesting to know that out of a total population of 9,88,397 in Jalpaiguri, 3,00,000 are getting the benefit, under big employers, of full rationing scheme and 3,38,000 are under modified rationing" এই statement আছে কি না ?

The Hon'ble PRAFULLA CHANDRA SEN: আবি বাননীর সদস্য বহাপরদের এই. কথাটা আবারও বলতে চাই যে ঐ যে অবশিষ্ট দু'লক্ষ ৩৫ হাজার লোক যার। নাকি surplus coroal উৎপাদনকারী তাদের রাজারে চাল কিনতে হয় না।

8j. KHAGENDRA NATH DAS CUPTA: Is the Hon'ble Minister aware that the present decrease in price of rice is due to supply of rice by the ten planters and some co-operative firms to the people at less price, but this cannot last long?

The Hon'ble PRAFULLA CHANDRA SEN: This may be probably due to that, but this is also due to the harvesting of the aus crop.

8]. KANAI LAL DE: বাননীয় বছী বহাপির এর পূর্বে একটা পুপের উত্তরে বলেছেন বে এবানে আবার দু ঘণ্টা আপে তিনি ববর পেরেছেন যে জলপাইগুড়িতে চালের দর করছে। তিনি কি দয়া করে জানাবেন বেবানে ৮০ টাকা থেকে চালের দর কত ক্ষেছে।

The Hon'ble PRAFULLA CHANDRA SEN: ৮০ টাকা চালের, গর পুঠার কোব ধবর আবি পাইনি, বর্তমানে এখন কোবাও ৫২ টাকার বেশী গর নাই। Dr. SURESH CHANDRA BANERJI: এ কৰু ২৫ হাৰ্লাৰ লোককে statutory rabion এবং এ কৰু এ৮ হাৰ্লাৰ লোককে modified rations দেওৱা হচ্চে, আৰু বে অবলিট পুাৰ তিন কৰু লোক নোক নোকাৰে আছে তালেৰ শীঘুই rationএৰ ব্যবহা কৰা হবে কি না?

The Hon'ble PRAFULLA CHANDRA SEN: আবি তো বলেইছি দেখাৰে "actioning এৰ আওতাৰ বাইৰে বাৰা তাৰ বৰো প্ৰাৰ ২ লক্ষ্ণ ৪৫ হাজাৰ লোক surplus উৎপাদনকাৰী, জাৰা বাবে সাবানাই অবশিষ্ট থাকে।

8j. HARIPADA CHATTERJEE: बाननीय यदी वरानंद्र यथन (पथ्टून व modified ration निरविध totory rationing क्रेनी) क्लिन निर्विध क्रांचित क्रिक्न निर्विध क्रिक्न निर्व क्रिक्न निर्विध क्रिक्न निर्व क्रिक्न निर्व क्रिक्न निर्विध क्रिक्न निर्व क्रिक्न निर्विध क्रिक्न निर्व क्रिक्न निर

The Hon'ble PRAFULLA CHANDRA SEN: সে অঞ্চলে আনরা লোকের হাতে চাল ছেড়ে দিয়েছিলান, statutory' rationing করতে হলে সে অঞ্চলের সমস্ত production নিয়ে নিতে হবে; কিছ বর্ত্তমানে চালের দর বাড়ার দরুণ statutory rationing করা সম্ভবপর নর। কিছ modified এবং statutory rationingএর ভিতর পার সকল লোককেই রেখেছি। Rationingএর বাইরে যারা তার। অধিকাপেই surplus producers.

Dr. SURESH CHANDRA BANERJI: মাননীয় বহী বহাপর বলবেন কি জলপাইগুড়িতে চালের বর বে বেড়েছে সেধানকার rice-growing areaক jute-growing areas পরিণত করাই ভারতনা বারী?

The Hon'ble PRAFULLA CHANDRA SEN: আপনার প্রশুটা আমি ব্ঝতে পারছি না।

Dr. SURESH CHANDRA BANERJI: আবার পুশুটা হচেচ এই বে জনপাইগুড়িতে বে চালের গর বেড়েছে সেটা নেবানকার আউশ rice-growing areaæ jute-growing areaes পরিণড করাই তারজন্য গারী কি না ?

The Hon'ble PRAFULLA CHANDRA SEN: কোন কোন জেলার সেটা হওরা সম্ভব, কিছ জলপাইণ্ডডিতে সেটা হর নাই।

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রী মহাশয় বলবেন কি জলপাইগুড়ির কডটা আউশ rice-growing areaক jute-growing area পরিণত করা হয়েছে?

The Hon'ble PRAFULLA CHANDRA SEN: না. আহি তা বলতে পারব না।

Dr. SURESH CHANDRA BANERJI: মন্ত্রী বহাপর দ্যা করে বলবেন কি Government of Indias কাছে থেকে এরকম আশাস কি পেরেছিলেন বে rice areaco juto areas পরিণত করাতে বে পরিবাণ চাল কম উৎপা; হবে সেটা Government of India পেবেন!

The Hon'ble PRAFULLA CHANDRA SEN: কোন প্রশুর বজে এই supplementary questionটা আবছে বৰতে পারছিনে।

**8j. JYOTI BASU:** With reference to answer (a)(ii) even taking the figures as correct that the price of rice varies from Rs. 48 to Rs. 42-8, will the Hon'ble Minister be pleased to state as to what is the percentage of people who can buy rice at this price in Jalpaiguri?

The Hon'ble PRAFULLA CHANDRA SEN: The honourable member will see that more than 90 per cent. of the people are under some sort of rationing—statutory or modified. So, the question does not arise as to what percentage of people can purchase rice at Rs. 48 or even at Rs. 42-8 per maund.

Sj. JYO71 BASU: Will the Hon'ble Minister be pleased to state whether the quantity of rice that is given to the people who are covered by some kind of rationing is sufficient for them to meet their needs or they have to buy in the outside market?

The Hon'ble PRAFULLA CHANDRA SEN: I know that the quantity that is given is not adequate and they may have to supplement the quantity that they are getting from us.

Dr. SURESH CHANDRA BANERJI: নাননীর বরী বহাপর বলবেদ কি জলপাইওড়ি জেলার বড় বড় জোডনারদের কাছে পুচুর পরিয়াণ বাদ চাল বজুত থাকার বর্ডবালে লেখালে চালের দর কত বেতেছে :

The Hon'ble PRAFULLA CHANDRA SEN: ধুব বেশী পরিবাণ বজুত আছে ব'লে আবরা জানি না।

Dr. SURESH CHANDRA BANERJI: মাননীয় यद्यी बशानद बनादन कि এই সমত্ত ভোতদারদের কাছ থেকে ধান কিছা চাল সংগ্রহের জন্য Government কি কি ব্যবহা অবলহন করেছেন।

The Hon'ble PRAFULLA CHANDRA SEN: ৰংসর ৰংসর কিভাবে procurement করেন তাকি মাননীয় সদস্য বহাপ্ত জানেন না ?

8j. HARIPADA CHATTERJEE: আশা করি বাননীর বরী বহাপরের কাছে figure আছে।
Press-noted ছিল ৩ লক লোক modified rationing পার আর আপমি বল্ছেন ৬ লক লোক পার, এখন
কোনটা সতা?

The Hon'ble PRAFULLA CHANDRA SEN: আমি বলেছি statutory rationing and modified rationing নিরে ৬ লক লোক modified rationing পার। আর বাকী ২ লক ৩০ হাজার লোক, আমরা হিসাব করে দেখেছি, surplus scheme অনুসারে পার, আপনারা হিসাব করে দেখেছি, surplus scheme

8]. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state, as inspite of the introduction of statutory or modified rationing in the area the price of rice is rising high, what steps does he propose to take to meet the situation?

The Hon'ble PRAFULLA CHANDRA SEN: I have already informed the honourable members that the scale of rationing has been increased from 1½ to 2 seers in some areas in Jalpaiguri and in the Jalpaiguri town it has been raised to 2½ seers.

Dr. SURESH CHANDRA BANERJI: যাননীর ময়ী মহাশ্য বলবেন কি ধান চাল উৎপাদনের থরচার তুলনায় procurement price ক্য দরে নির্ধারণ করার জন্য বড় বড় জোতদারর৷ এতথান চাল----!

The Hon'ble PRAFULLA CHANDRA SEN: এটা কিছ এর মধ্যে উভৰ হতে পারে না।

8j. JYOTI BASU: With reference to the answer given by the Hon'ble Minister to one of my previous questions, will the Hon'ble Minister be pleased to state—I again repeat the question—as to what percentage of people who have to buy rice in the outside market can do so at the price prevailing at the moment in Jalpaiguri, viz., Rs. 48 to Rs. 42-8?

The Hon'ble PRAFULLA CHANDRA SEN: They need not go into the market for rice because rice is not available in the market; so the price is high and the Government is supplying what quantity it can supply.

Dr. SURESH CHANDRA BANERJI: On a point of privilege, Sir, কোন পুণু উঠতে পাৰে আৰু না পাৰে তা বনবাৰ অধিকাৰ কি বাননীৰ বহী বহাপৰের, না Speaker বহোপৰের ? বাননীৰ Speaker বহোপৰ বনবৈন কি আবার আপের গ্রুণ্টা টেক হবেছিল কি না ?

Mr. SPEAKER: Dr. Banerji, if you wish that a Point of Order should she raised before the Speaker you have to raise it at that particular moment.

Dr. SURESH CHANDRA BANERJI: ক্ষোগ পাইনি, স্যার, ক্ষোগ পেলেই বন্তে

The Hon'ble PRAFULLA CHANDRA SEN: याननीय Speaker বহাপরের দৃষ্টি আকর্ষণ করেই বল্ছি যে, short notice বংগনবাবু দিয়েছেন তাতে ধান চালের ঘর এত উঠতে পারে না।

Bj. KANAI LAL DE: একটা অতিরিচ্ছ পুশু ক্ষী মহাণারকে ক্ষাছি, তিনি নালুছেন্থ বে, ''she retail price reported on 12th September, 1951, was Rs. 48 in Jalpaiguri and Rs. 42-8 in Alipore Duar''. কিন্তু এখানে পুশু ছিল the price of rice is now varying from Rs. 50 to Rs. 80 per maund in different hate and bazars of the district.'' এই পুশুটা গতকাল ১॥টাৰ সমন পেওমা হমেছিল। তিনি ২২ তারিখের উত্তর দিচেছ্ন। তিনি বেন আমার পুশুটা লমা করে পোনেন। কাল ১॥টার সমন আমার পুশু ছিল ৫০ টাকা থেকে ৮০ টাকা চালের দর হমেছিল কিনা। নাননীয় মন্ত্রী মহাণায় দয়। করে বলবেন কি কাল জলপাইগুড়িতে চালের দক্ষ কত ছিল ?

The Hon'ble PRAFULLA CHANDRA SEN: দরা করে শুনে নিন, আমি বলুছি।
আজা থেকে ১০ দিন পূর্বে যে report পাওয়া গিয়েছে তার উপর আমি বলুছি।

8j. KANAI LAL DE: দশদিন পরের ধবর কিছু পাওয়া গিয়েছে কি?

The Hon'ble PRAFULLA CHANDRA SEN: আমাদের কাছে কিছু আসেনি।

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্ৰী মহাশ্ব বলবেন কি জলপাইগুড়ি জেলায় "জৰিক খাদ্যশস্য ফলাও" আন্দোলকে কি কি ভাজ হবেছে।

The Hen'ble PRAFULLA CHANDRA SEN: আমি মনে করি বা বে, আলোচ্য বিষয়ের সলে এক কোন বোগ আছে।

Dr. SURESH CHANDRA BANERJI: এটা কি একটা substitute হতে পারে না ? আমি মনে করি সেটাও এর মধ্যে আসে। যদি সেটার কিছু করা হত তাহলে এই পুশু উঠত না। আমাকে বন্তে দিন তার জন্যত Spaaker মহোদয়ই আছেন।

Mr. SPEAKER: That comment you need not make.

Dr. SURESH CHANDRA BANERJI: Speaker, Sir, বাননীয় বল্লী বহাণৰ বলবেদ কি গত চাৰ বংশৰে জলপাইওড়ি জেলায় ''অধিক খাদ্যালয় ফলাও'' আলোলন চালান হৰেছিল কিনা ?

The Hon'ble PRAFULLA CHANDRA SEN: "অধিক খাদ্যশাস্য ফলাও" আন্দোলনের কথা আপনার। জানতে চাইলে আমি নিশ্চরই বলব। এখন সমস্ত figure আমার কাছে নাই।

Dr. SURESH CHANDRA BANERJI: On a point of privilege, Sir, আৰি আৰ্তে চাই এই সমন্ত বিষয়ে মাননীয় মন্ত্ৰী নহাশয়ের তৈরী হয়ে আসবার কথা ছিল কিনা; তিনি তৈরী হয়ে আসেননি কেন? "Grow More Food" campaign is the most important item to be discussed today when the price of food is soaring so high.

The Hon'ble Dr. BIDHAN CHANDRA ROY: হয় বাংলায় বল না হয় ইংরাজিডে বল।

Dr. SURESH CHANDRA BANERJI: আমি উত্তর চাই কি কি আলোলন করা হরেছিল পত ৪ বংসারে।

The Hon'ble PRAFULLA CHANDRA SEN: আৰি ডা' জানাব. কিছ সময় আছে ভ' এখন হাতে মাই। '

SL DEBENDRA NATH SEN: "Walt the Electble Minister be pleased to state, accepting that the price of rice is as given by him, as to whether the people who want to buy rice there can buy at that price?

The Hon'ble PRAFULLA CHANDRA SEN. That is a hypothetical question.

8j. HARIPADA CHATTERJEE: মাননীর মন্ত্রী বহাশর কি জানেন যে, বাজারের এই বে price of food তার চেয়ে Government procurement price জনেক কম, সেজনা বাজারের এই অবস্থা, এটা কি তিনি জানেন?

The Hon'ble PRAFULLA CHANDRA SEN: এর স্পে তার সম্পর্ক নাই।

8j. HARIPADA CHATTERJEE: মাননীয় মন্ত্ৰী মহাপয় থেখান থেকে ধৰর নেন তা না নিয়ে সদস্যদের কাছ থেকে ধৰর নিলে ভাল হয়, এটা কি বিৰেচনা করবেন ?

(No reply).

- 8]. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether it is possible for the people to buy rice at Rs. 48 per maund?
  - Mr. SPEAKER: That question has already been asked.
- Sj. SIBNATH BANERJEE: নাদনীত্ব বহী বহাপত এই বে figure দিনেছেন "48 and 42" may I take it as the average price. এখানে পরিস্কারভাবে লেখা আছে জনপাইগুড়ি নদত্বে ১২ তারিখে ৪৮ ছিল এবং আলিপুর দুয়ারে ৪২॥০ ছিল। আমি জানতে চাই maximum কত, minimum কত।

The Hon'ble PRAFULLA CHANDRA SEN: আজ যে ধবর এসেছে তাতে জানি maximum ৫২ টাকা, minimum ঠিক বলতে পারি না; minimum কোন কোন স্থানে ১৬১।

- Sj. SIBNATH BANERJEE: Maximum ৫২ জোন ছানে আর minimum ৩৬ কোন ছানে বলবেন ? মাননীয় মন্ত্রী মহাপ্রের মনে আছে কি তিনি বলেছিলেন যে, ২৫ টাকার বেণী দাম যদি হয় তাহলে যে কোন রক্ষে দাম কমাবার চেটা কয় যাবে ? আপনাদের খীকৃতি অনুসারে 42 to 48, যদিও আমরা সেটা খীকার কবছি না, 50 to 80 price ধাকার দক্ষণ আপদারা কি extra supply immediately—
  - Mr. SPEAKER: That question has been answered.
- 3j. SIBNATH BANERJEE: That question has not been fully answered already, it was only partially answered and so I am putting further supplementaries.

The Hon'ble PRAFULLA CHANDRA SEN: আনি আরেকটা পুশুের answer দিতে পারি। দাব কবিবে দিতে পারব কিনা বন্তে পারি না, তবে ২৫১ টাকার বেশী চালের দর যেবানে উঠহে কেবানে modified rationing করব বলেছিলার।

- 8]. 8IBNATH BANERJEE: চালের দাম বেড়ে গেলে অন্য জায়গা থেকে চাল এনে marketএ মান হেড়ে চালের নাম কমান কি আপনাদের কর্তব্য নয় ?
  - Mr. SPEAKER: You cannot ask that question.
- Sj. KHAGENDRA NATH DAS CUPTA: Will the Hon'ble Minister be pleased to state whether he is contemplating to extend modified rationing further in the district and to increase the quota of rice per head?

The Hon'ble PRAFULLA. SHANDRA SER: I have already said so that I am increasing the scale of modified rationing in the rural area to two seers per adult and in the town of Jalpaiguri to 2 seers 8 chataks per adult.

- 8j. HARIPADA CHATTERJEE: বাননীর বহী বহাপর বোধ হয় জানেন আমাদের constitutionএর পূর্থন ধারার এই কথা আছে বে, সকলেরই শূনলভ্ধ বিস্ত ভোগ করার অধিকার আছে। বেখানে বাজারে
  চালের পর এড বেশী সেধানে procurement price এড কন করে দিয়ে লোকের শূনলভ্ধ বিস্ত ভোগের
  অধিকার হরণ করা হচেছ। এটা জানেন কি?
  - Mr. SPEAKER: That question does not arise.
- Dr. SURESH CHANDRA BANERJI: কিছুদিন আগে বে Press-note বেরিরেছিল তাতে বলা হয়েছিল "total amount of rice from the Central Government has been very poor, only 37 tons against a deficit in rice of more than 2 lakh tons". এই বে কম চাল Central Government থেকে supply করেছে—এই যে বাকী অংশটা রয়েছে তা পাবার জন্য আপনারা কি চেষ্টা করেছেল?

The Hon'ble PRAFULLA CHANDRA SEN: Central Government চালের পরিবর্জে গার পিয়েছেন, কাজেই সেটাকে আনরা অন্যার বনে করি মা।

Dr. SURESH CHANDRA BANERJI: यथन কেন্দ্রীয় Government আপনাদের পুতিশুভি দিরেছিদ তথন বলেছিল চাল দেবে। আনরা চাল থাই। সেই চাল আদায় করার চেটা করেছেন কিনা?

The Hon'ble PRAFULLA CHANDRA SEN: সেধান থেকে চাল পাওয়া যারনি !

# STARRED QUESTIONS

(to which oral answers were given)

### Granting of licence for manufacture of biological products

- \*7. Sj. ANNADA PROSAD CHOUDHURY: Will the Hon'ble Minister in charge of the Health Department be pleased to state—
  - (a) the number of firms in West Bengal to whom licences for manufacture of biological products have been granted;
  - (b) what may be the maximum and the minimum value of the biological manufacture of such firms and how many of them pay income-tax;
  - (c) what are the criteria for the grant of licences;
  - (d) how many of the firms have been granted licences during the last three years and how many of the establishments been inspected by the officers of the Health Department belonging to the gazetted rank; and
  - (e) whether there are any more applications still pending for grant of licences?

MINISTER in charge of the HEALTH DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (a) Such licences have been granted to 187 firms.

(b) As the department is concerned with the control of the quality of drugs under the Drugs Act and not with the value of the total produce or with the income-tax payable, the informations required are not available in the Medical and Public Health Department of the Government.

- (i) Existence of properly qualified technical staff for the purpose of manufacture, standardisation, testing and supervision of the products in conformity with the Drugs Act and Rules.
- (ii) Adequacy of the number of staff employed according to the volume and variety of items of manufacture.
- (iii) Existence of appropriate appliances and machinery, heating and storage appliances including cold storage for certain items like serum, vaccine, anti-toxin, etc.
- (iv) Existence of a separate laboratory, equipments and appliances for dealing with the spore-bearing organisms.
  - (v) Maintenance of general hygienic and sanitary conditions.
- (d) The grant of licences to such firms started from the latter part of 1948. The total number of licensed firms is therefore the same 187. They all have been inspected by gazetted officers of the Health Department.
  - (e) Three.

### Appointment of Professors of Medicine and Ophthalmology, Medical College, Calcutta

- \*8. 8]. BIMAL COMAR CHOSE: Will the Hon'ble Minister in charge of the Medical Department be pleased to state—
  - (a) when were the present incumbents to the posts of Professor of Medicine and Professor of Ophthalmology of the Calcutta Medical College first appointed to these posts;
  - (b) whether in making the said appointments the Public Service Commission was consulted; and
  - (c) if not, why not?

MINISTER in charge of the MEDICAL DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (a) The present incumbents of the posts of Professor of Medicine and Professor of Ophthalmology of the Calcutta Medical College, viz., Dr. J. C. Banerji, M.B. (CAL.), M.R.C.S. (ENG.), M.R.C.F. (LOND.), and Dr. B. K. Das Gupta, M.B. (CAL.), L.R.C.P. (LOND.), M.R.C.S. (ENG.), D.O. (OXON.), D.O.M.S. (LOND.), F.R.C.S. (EDIN.), were first appointed to these posts with effect from the 16th January, 1949, and the 13th July, 1948, respectively.

- (b) No.
- (c) The appointments were first made for a period of six months pending recruitment through the Public Service Commission and this is permissible under the existing rules. The Public Service Commission was not then approached for advertising the posts, as the professorial set-up of the Medical College, Calcutta, was under revision involving major changes in the emoluments and terms and conditions attached to the posts. The Public Service Commission was, however, requested to agree to the ratification of these appointments on a purely temporary basis and they observed that the question of regularising the appointments may pend till the finalisation of the set-up. The set-up has since been finalised and the Public Service Commission have been requested to advertise the posts.

I may mention that they have already advertised the posts and they are considering the appointments.

- **Sj. BIMAL COMAR CHOSE:** With reference to answers (a) and (c), will the Hon'ble Minister be pleased to state the rules, if any, under which these officers could continue for more than three years without any reference to the Public Service Commission?
- The Hon'ble Dr. BIDHAN CHANDRA ROY: As I have indicated in (c) a reference was made to the Public Service Commission for ratifying the temporary appointments and they wrote to us to say that the question of ratification may be kept pending subject to the finalisation of the set-up.
- 8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state as to when this reference was made to the Public Service Commission?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

8]. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if it was done before the expiry of six months?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot tell you the exact date but it was some time about the end of the six months' period.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if he does not consider it desirable that appointments for such a long period should not be continued when they are to be made through the Public Service Commission and if such long period has to elapse then they should be referred to the Public Service Commission in the beginning?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is a matter of opinion.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state whether in practice this fact of circumventing the Public Service Commission is not desirable in the interest of public service?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is again a matter of opinion but I may say that there was no circumventing the Public Service Commission.

# Consumer goods controlled by Covernment

- •9. 8]. BIMAL COMAR CHOSE: Will the Hon'ble Minister in charge of the Supplies Department be pleased to state—
  - (a) what are the particular consumer goods in respect of which some form of control is still exercised by Government mentioning the nature of control exercised in each case; and
  - (b) whether Government are considering the lifting of control in respect of any of these goods and, if so, from what date?

MINISTER in charge of the SUPPLIES DEPARTMENT (the Hon'ble Mikunja Behari Maiti): (a)(i) Coal, (ii) kerosene, (iii) iron and steel including pipes, (iv) cement, (v) non-ferrous metals including brass (unwrought and semi-manufactured), (vi) bicycles, (vii) cycle tyres and tubes, (viii) electric bulbs, (ix) caustic soda, (x) soda ash, (x) tanning materials (wattle bark, wattle extract, quebracho), (xii) raw tubber, (xii) casein, (xiv) infants foods (Glaxo, Horlicks, Cow & Gate milk and Ostermilk) and (xv) sulphur.

With regard to items (iii) and (iv) i.e., iron and steel including pipes and cement, there is both price and distribution control; but foreign

imported cement is not subject to distribution control, its price is however, controlled. As regards the rest, there is only price control and there is no distribution control. Price control in respect of items (iii) iron and steel pipes and (v) to (xv) is exercised direct by the Government of India. In respect of items (i), (ii) and (iv) coal, kerosene and cement, the State Government exercise such control.

- (b) The question does not arise as this is a matter for the Government of India.
- **8j. BIMAL COMAR CHOSE:** With reference to answer (a), items (iii) and (iv) will the Hon'ble Minister be pleased to state what is the distribution control existing at the present moment? What kind of distribution control is there?

The Homble NIKUNIA BEHARI MAITI: Distribution control in regard to prices and also in some cases in regard to quantity.

8j. BIMAL COMAR CHOSE: In respect of price there is control and also there is the distribution control? What is distribution control?

The Hon'ble NIKUNJA BEHARI MAITI: In certain cases it is nothing more than quantity control, that is, we allow certain quantity of pipe, etc.

BJ. BIMAL COMAR GHOSE: How is the system of distribution controlled? What is the principle of distribution?

The Hon'ble NIKUNJA BEHARI MAITI: It varies from item to ritem.

8j. BIMAL COMAR CHOSE: There are only two items mentioned here and no other items are mentioned.

The Hon'ble NIKUNJA BEHARI MAITI: In rural areas with regard to these items there is an advisory board and there are certain members there including officials and non-officials. They distribute the articles among the applicants according to priority and emergency.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state in view of his statement that the State Government exercises control over the price of coal, as to what kind of control is exercised, whether it is on the coal supplied to the industrialists who consume coal for industrial purposes or whether it is on the coal supplied to domestic consumers?

The Hon'ble NIKUNJA BEHARI MAITI: It is both for domestic control and control over the industrialists.

8]. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state what is the price of coal in the Calcutta markets now-a-days?

The Hon'ble NIKUNJA BEHARI MAITI: I want notice.

8j. DEBENDRA NATH SEN: Is the Hon'ble Minister aware that the manufacturing or cost price of soft coke is only Rs. 22 and the selling price is Rs. 47?

The Hon'ble Nikunja Behari Maiti: The price structure is based on several items including the production cost and other costs.

SJ. DESENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether this difference between Rs. 22 and Rs. 47 is reasonable?

The Hon'ble NIKUNJA BEHARI MAITI: That is a matter of opinion.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state as to why there is no distribution control in regard to imported cement whereas it exists in regard to local cement?

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The Hon'ble NIKUNJA BEHARI MAITI: Just to encourage imported cement to come in larger quantities.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state why there is a distribution control in regard' to indigeneus cement?

The Hon'ble NIKUNJA BEHARI MAITI: So that all the people might get it as far as they can.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state as to whether the State Government is at all consulted in regard to imposition of price control and distribution control in regard to any of these commodities—whether the State Government has had any say or not?

The Hon'ble NIKUNJA BEHARI MAITI: In some cases price is fixed by the Central Government and in other cases we have some latitude in fixing the price.

8j. BIMAL COMAR CHOSE: Sir, that was not my question. My first question was whether the initiative in introducing price and distribution control vests with the State Government with regard to any of the commodities or they all lie with the Central Government?

The Hon'ble NIKUNJA BEHARI MAITI: In some cases with the Central Government.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state in respect of which of these commodities, the initiative lay with the State Government?

The Hon'ble NIKUNJA BEHARI MAITI: Initiative in the matter of proposal lies with the State Government.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state as to whether the power of imposing any price on distribution control at all lies with the State Government or it all lies with the Central Government?

The Hon'ble NIKUNJA BEHARI MAITI: Just as in the matter of imported cement we can fix the price.

8j. DEBENDRA NATH SEN: In view of the high price of soft coke in Calcutta markets does the Hon'ble Minister contemplate taking steps to reduce the price of soft coke?

The Hon'ble NIKUNJA BEHARI MAITI: That is a big matter and that has got to be considered, and if the honourable member gives a proposal, I shall consider that.

\$1. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether the State Government recommended lifting of control over any item? If so, which?

The Hon'ble NIKUNJA BEMARI MAITI: Not now.

SJ. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if he has examined in respect of any of these commodities whether the continuance of control is necessary?

The Hon'ble NIKUNJA BEHARI' MAITI: Just now all the controls remain. We are not in a position to lift any of these controls. We cannot recommend lifting of any of these controls.

8j. BIMAL COMAR CHOSE: Is the Hon'ble Minister aware that in respect of one commodity, say electric bulbs, the supply is more than the demand, and as such, there is no reason for imposing any control on that?

The Hon'ble NIKUNJA BEHARI MAITI: If the honourable member be kind enough to supply the information, I shall communicate it to the Government of India.

Sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if there is any organisation for seeing to it that these prices which are the control prices are maintained?

The Hon'ble NIKUNJA BEHARI MAITI: Yes. There are several organisations—there is the Enforcement Branch and our Inspectorate staff and other personnel who see that the control prices are observed.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if he is satisfied that the control prices are being maintained or if he has any information of infringements in regard to these prices?

The Hon'ble NIKUNJA BEHARI MAITI: There are certain infringements no doubt, but generally they are observed.

**Shaikh MOHAMAD RAFIQUE:** Will the Hon'ble Minister be pleased to consider the desirability of recommending to the Central Government lifting of control over any of the items?

The Hon'ble NIKUNJA BEHARI MAITI: As I have said, we are not considering lifting of control over any of the goods, but if the honourable member suggests that control should be lifted from any of these goods and he advances reasons therefor, then we must consider that matter.

Shaikh MOHAMAD RAFIQUE: Will the Hon'ble Minister be pleased to state if he has received any representation with regard to lifting of control over any of these items?

The Hon'ble NIKUNJA BEHAR! MAITI: I have got none just now.

Sj. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if he examines from time to time the cases of these commodities with a view to finding out whether there is any ground for lifting control over such commodities?

The Hon'ble NIKUNJA BEHARI MAITI: We do it in our own way, that is to say, departmentally.

#### Bodhana Samity, Jhargram, Midnapore

- •10. Sj. ANNADA PROSAD CHOUDHURY: Will the Hon'ble Minister in charge of the Education Department be pleased to state—
  - (a) whether the Bodhana Samity at Bodhana (Jhargram, Midnapore) is a registered society; if so, when was it registered;
  - (b) whether any grant was made to the samity by the Government of West Bengal and by the Government of undivided Bengal for recurring and capital expenditure separately;
  - (c) if so, the amount and the terms laid down along with the grant:

- (d) whether the proposal for grant was examined in the initial stages by the Subdivisional Officer, Jhargram, and/or by the District Inspector of Schools or whether the proposals were directly received;
- (e) whether the opinion either of District Inspector of Schools or of the Subdivisional Officer, Jhargram, was sought before sanction was accorded;
- (f) whether payment was made direct to the samity from Calcutta or Alipore or through the Subdivisional Officer, Jhargram;
- (g) whether there were any normal children in the samity along with the feeble-minded and some fees were charged from some of the children;
- (h) if so, the number of such children and the amount of fees charged;
- (i) whether the accounts of the Bodhana Samity were examined by Government;
- (j) whether Government were satisfied that the grants made by Government were properly utilised;
- (k) whether Government have received any reports of irregularities in the accounts of the samity;
- (1) if so, the steps taken or proposed to be taken by Government in the matter;
- (m) whether it is a fact that the institution has since been closed down at Bodhana and the properties have been or are to be sold out; and
- (n) if so, what steps, if any, Government propose to take for realising moneys paid by the Government for construction and repair of houses and purchase of furniture, etc.?
- Mr. SPEAKER: The answer is long and it may be taken as read. It is a printed matter and members have got it in their hands. Let the supplementaries be asked.
  - 8j. SIBNATH BANERJEE: Is that your ruling, Sir?
- Mr. SPEAKER: What I have said is this: it is a very long statement and it is a printed matter and members have got it before them. So, I said, it may be taken as read.
- 8j. SIBNATH BANERJEE: It is before them but there are some who might not have the opportunity to apply their mind to it.
  - Mr. SPEAKER: It is unnecessary to read it out.
- 8]. SIBNATH BANERJEE: The rule provides that it should be read, so that those members who have come just now may also listen to it and put supplementary questions. This is a starred question and a starred question has no meaning unless it is read out.
- Mr. SPEAKER: If you press that point, I will ask Mr. Rai Chaudhuri to read it out, but I will consider whether, if the answer to a question is such a long one, it is absolutely incumbent that it should be read out.
- SJ. SIBNATH BANERJEE: If the question is long and the answer is also long, it is entirely in your hands, in the hands of your department to cut it short.
- Mr. SPEAKER: I have already requested the Hon'ble Minister to read it out.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, you had already directed that the answer need not be read. Have you rescinded your direction?

Mr. SPEAKER: Yes; I have.

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): (a) Yes; it was registered in 1932 under Act XXI of 1860.

- (b) Yes.
- (c) Grants to Bodhana Samity were sanctioned from July, 1944, for the maintenance and training of tamine orphans, who were mentally handicapped. They have also received a staff grant of Rs.100 per month and certain special grants from the Inspector of Schools, Burdwan Division. The amounts and the terms of the grants paid to the Bodhana Samity are detailed below:—

### Amounts

Year.		Recurring grant.	Capital grant.
1944-45		Rs. a.	Rs. a.
	• •	6,675 9	12,210 14
1945-46	••	19,019 9	4,471 11
1946-47	• •	20,914 8	1,044 0
1947-48		18,357 10	
1948-49	• •	18,260 6	1,610 0
1949-50	• •	17,904 1	10,959 C
1950-51	• •	8,299 9	

#### Terms

- (1) That the payment of grants is to be made on receipt of a Deed of Acceptance of the grants duly executed by the members of the Managing Committee.
- (2) That the Home should be under a duly constituted Managing Committee.
- (3) That the grant must be utilised for the purpose for which it is sanctioned.
- (4) That an approved scale of expenditure must be maintained.
- (5) That in the event of the scale of expenditure not being maintained there would be a proportionate deduction from the grant.
- (d) The proposals were directly received by the Director of Public Instruction. The Subdivisional Officer and the District Inspector of Schools were not required to examine such proposals under the rules obtaining at the time.
  - (e) The reply to (d) above may please be referred to.
- (f) The payment was made direct to the Founder-Secretary, Bodhana Samity, either from Calcutta or from Alipore Treasury, except during the periods mentioned below when the Subdivisional Officer, Jhargram, was authorized to draw the grants:—

February to March, 1948. February to October, 1949.

- (g) Some children, who were selected as meetally handicepped by, the Founder-Secretary from among the orphans in the Government orphanages, were transferred to the Bodhana Samity at his request. A few years later, some of the children were reported to be normal by the Superintendent of the samity and were removed to other State orphanages. Fees are charged by the samity from the guardians who send their children to the samity for treatment. The orphans from Government orphanages were maintained at Government cost.
- (h) Accurate information is not available in regard to the number of children sent there voluntarily by their guardians and the amount of fees charged from them.
- (i) to (k) The accounts of the Bodhana Samity are now being examined in detail by a firm of public auditors and their reports are awaited. Some irregularities were detected by Government in course of the test check for the period 1944-48 and these were communicated to the Founder-Secretary.
  - (1) Does not arise at present.
- (m) The authorities of the Bodhana Samity decided in a resolution passed on the 23rd September, 1950, to close down the institution at Jhargram and requested Government to withdraw children sent by Government. Accordingly all the orphans sent by Government were withdrawn from Bodhana in November, 1950. It has been reported that the institution at Jhargram has been closed down and the properties notified for sale.
- (n) Necessary steps will be taken to realise moneys due to Government in accordance with the terms and conditions laid down in the Deeds of Acceptance.
- 8]. ANNADA PROSAD CHOUDHURY: মাননীয় মন্ত্রী মহাপম বল্বেন কি—ভিনি উত্তরের (c) paragraph4 যে বলেছেন যে এটাতে famine orphans কেবল রাখা হয়, কিন্তু গাভর্ণমেণ্ট দেখানে ১৯টা ছেলে ও ১১টা মেয়ে—এই ৩০টা যে পাঠিয়েছিলেন, তাদের every one—তাদের সবই কি famine orphans এটা যে শুধু famine orphanage নয়, তা কি গভর্ণমেণ্ট অবগত আছেন?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: আপনার প্রশুটা বুবতে পারলাম লা। আবার বলুন।

8j. ANNADA PROSAD CHOUDHURY: গভর্ণনেণ্ট যে দেখানে ১৯টা ছেলে ও ১১টা বেয়ে রেখেছিলেন অবচ কোটা কেবল famine orphanage নয় এটা গভর্ণনেণ্ট কি অবগত আছেন? অববা এটা কি famine orphanaged পরিবভিত করা হয়েছিল?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: আপনার questionর যে উত্তর দিয়েছি সেটা পড়ে দেখ্তে পারেন ভাল করে। Famine orphan যাদের সেখানে নেওয়া হয়েছিল, ভাদের Founder Secretary বেছে নিয়েছিলেন Government orphanage বেকে।

8j. ANNADA PROSAD CHOUDHURY: দেখানে কি ছেলে বেরে দুইই রাখা বেতে পারত :

#### The Hon'ble Rai HARENDRA NATH CHAUDHURI: \$111

8j. ANNADA PROSAD CHOUDHURY: এই বে Recurring grant দেওব। হমেছে এবং Capital grantও দেওবা হমেছে (Statementএ আছে) গভর্ণবেণ্ট কি অবগত আছেন এই grants বব্য থেকে অনেক টাকা গভর্ণবেণ্টের অনুষতি না নিরেই বাড়ী তৈরি ও repairings জন্য ব্রচ করা হারছে। এবং নেই বৰ ব্যৱহেৰ voucheras 95 per cent.ই নাই।

The Monthle Rai MARENDRA MATH CHAUDHURI: আনলা পুনার (i to k)এর পুনার বে কবাব দিয়েছি সেটা ভালো করে পড়লেই এটা পেখতে পারবেন। এবং auditorsus report কবনো পাওৱা বার নি কিছ একটা test check করা হবেছে ১৯৪৪ থেকে ১৯৪৮ সন পর্যন্ত ভাতে কতকভারি irregularities পুকাশ পোরছে এবং সে সম্বন্ধে Foulder Secretaryকে জানানো হবেছে, তাঁর জবাব এখনো পর্যন্ত পাওয়া বার নি।

8j. ANNADA PROSAD CHOUDHURY: এই যে test check হবেছিল তার copy করে কেকেটারী বহাশনের কাছে পাঠান হবেছিল।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: সে আদি এখন বলতে পাৰৰ বা. notice চাই।

8j. HEMANTA KUMAR BASU: মন্ত্রী মহাপর বে তাঁর (n) উভরে বে বলেছেল— Necessary steps will be taken to realise money due to Government in accordance with the terms and conditions—কিছ টালটা কাপেয় কাছ বেকে আলায় করা হবে?

The Hon'ble Rai HARENDRA NATH CHAUDHUR!: আপায় কৰা ছবে ক্ৰিজিৰ কাছ থেকে।

8]. HEMANTA KUMAR BASU: गिविजित (यहतरमत कोছ (पेटक ना चना कारता कोছ (पेटक ?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: সেটা নির্ভক করে আইনজের অভিনতের উপর। তবে আমার মনে হয় deed of acceptanceএ যাঁরা signatory তাঁদের কাছ থেকেই আদায় হবে।

8j. ANNADA PROSAD CHOUDHURY: এই একটা রিপোর্টে দেখা যায় বাধারণত নিরম আছে কোন ব্যতি যদি registered society হয় তা dissolve করতে হলে গভণ্মেণ্টের অনুষ্ঠি লাগে।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: আপনি যে রিপোর্ট থেকে পড়ছেন সে রিপোর্টটা আমার সঠিক আনা নাই। স্লভরাং বলতে পারব না।

8j. ANNADA PROSAD CHOUDHURY: মহী মহাপর জানেন কি সমিতি বে বাড়ী । বর বিক্রম করার চেটা করছে, ওগুলি যদি বিক্রম হয়ে যায় ভাহলে গভর্ণমেণ্টের টাক। আদায়ের উপায় ধাক্বে না ।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: গভৰ্ণমেণ্টের টাকা শ্বিতির বধ্যে যারা সই করে নিয়েছেন তাদের কাছে থেকে আদায় হবে।

8j. HEMANTA KUMAR BASU: মন্ত্রী মহাপায় বলবেন কি যদি গভর্ণমেপ্টের চাক। আদার করার ইচছা থাকে তবে ঐ propertyগুলি ৪০ lo করতে না দিয়ে সেগুলি ৪০০ করা উচিত কিনা ?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: সে বিষয় না দেখে ৰলতে পারব না। আমি ত বলেইছি গভর্ণমেণ্টের টাকা deed of acceptance অনুসারেই আদায় হবে। তবে এইটুকু জানাতে পারি এখনই ৪০ize করার পক্ষে আইনত: অস্ত্রিধা আছে।

8j. SIBNATH BANERJEE: এই যে property saleএর চেটা চলছে এটা কি গভর্ণবেশ্টের সজে পরাবর্ণ করে বা গভর্ণবেশ্টের মত নিয়ে করা হচেচ।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: निकाय नवा

Sj. ANNADA PROSAD CHOUDHURY: গতর্ণবেশ্টের Assistant Secretary বে check audit ক্রেছেন তিনি যদি বলে থাকেন বে অনেক জারগার irregular expenditure করা হরেছে বেমন taxi hire ও অন্যান্য chargesa এত বর্ষ্ণ দেখানে৷ হরেছে বে প্রার ৮ হাজার ৪ শত টাকা এখার আনার প্রারই সবই গতর্পবেশ্টকে refund করতে হবে। এই রিপোর্ট থাকা সংখ্য যদি বাড়ীখর বিক্ররের নোটন বেগুরা হবে থাকে তাহকে কি গতর্পকেশ্টের এই টাকা আলারের জন্য কোন step নিডে হবে নাঃ

The Hon'ble Hall WARENBRA MATH SHAUBHURI! अवर्यकोः निकार स्थापक अधिकार्यकार अधिकार अधिकार ।

8j. SIBNATH BANÉRJEE: বহী বহাপর জোরের সজে বলেছেন "দিশ্চর" কৈও ১৯৫০ সালের দাবেরর বাসে গভর্ণনেশ্ট orphanন্দের withdraw করেছেন এবং সেটা close down করারও সংবাদ পেয়েছেন অথচ আজ পর্যন্ত either to run it at to seize it or to run it properly কোন stepই নেন নাই কেন ?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Answerb দল করে পড়ুন ভাল করে। Answer (m)এতে বলা ছয়েছে—the Authorities of the Samity decided in a resolution passed on 23rd to close down the institution and requested the Government to withdraw the children sent by Government. কাকেই জোন করে শেখানে orphansদের রাখা বা নেটাকে চালানোর কোন প্রশুই ওঠে না।

8j. 8IBNATH BANERJEE: সেই সৰ State orphansদের সেধান খেকে এনে কোধার দাখা হরেছে।

The Hon'ble Rai HARENDRA NATH CHAUDHURL: State orphanage

8j. 8iBNATH BANERJEE: যখন তারা notice দিলে যে institution close down হবে, বে সময় orphansদের পাঠানো হয়েছিল তাদের ফিরিয়ে আনতে হবে, তখন Institutionএর অবয়া খুবই খারাপ জেনেও গভর্পবেণ্ট বে তাদের এত টাকা দিয়েছেন সে টাকার নিরাপতার জন্য তখনই কেন property seize করা হয় নাই?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: শিবনাথ বাবু উত্তরটা ভাল করে পড়েন নাই। গভর্গবেণ্টকে শুধু বলা হয়েছিল Government orphans যার। তাদের State orphanaged আনবার জন্য, গভর্গবেণ্ট সেইটা করেছেন।

8j. 8iBNATH BANERJEE: আনি ৩ বার পড়েছি উনি তো notice পেয়েছিলেন 23rd September, 1950তে। Institution close downda resolution হলো আর তদনুসারে পরবর্তী নবেশবেই orphansদের দেখান থেকে withdraw কবতে হলো।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: That was their decision and it was no such notice to the Government as Sibnath Babu suggests.

- 8j. SIBNATH BANERJEE: That was sufficient. উনি বলেছেন বে notice পান নাই। আৰি দেবছি যে noticeড পেয়েছেন and I—
- Mr. SPEAKER: There is no place for an argument in putting a supplementary question. You may ask for information only. You may ask the question straight.
- \$j. SIBNATH BANERJEE: All right, Sir. I shall ask the question through you, Sir. মাননীয় বছী মহাপ্ত বলবেন কি এই বে তিনি যে খীকার করেছেন (pointing to the printed Questions and Answers) এখানে নিখে যে ২০০৭ September, 1950, পুতিষ্ঠান close down করার সিদ্ধান্তের পর নবেছর মানে notice পেলেন orphansers withdraw করার জন্য সেই orphansers withdraw করবার সময় গভর্ণবেশ্টের চাকা বে সেখানে এতগুলি শেওয়া রইল তার নিরাপন্তার কোন step তথন নেননি কেন?

(No reply.)

Sir, my question has not been answered. As the question time is going to be over, I take it that it may be taken up tomorrow.

Mr. SPEAKER: No, no.

8j. ANNADA PROSAD CHOUDHURY: शंकतीय की नवांच बरलाइन বে এই resolution কে করেছে তা জাঁরা জানেন না। এবং "It has been reported that the Institution at Jhargram has been closed down". Reported বলছেন কেন, আপনারা কি জানেন না office খেকে miscellaneous letter No. 76, dated 5th October, 1950, বেখানা লেখা হরেছে by the Deputy Secretary, Education Department, in reply to the Secretary's letter forwarding resolution of the Governing Body for closing down the Institution at Bodhana. এর পরে যদি নাননীয় বয়ী নহাশয় বলেন বে জাঁরা জানেন না এবং "It is reported" তবে এই দুটোর নধ্যে কি কোরে সানঞ্চয় করা যায় ?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: The decision to close down only puts on paper the intention of Government but as regards the actual closing down of the Institution no notice has been received.

Mr. SPEAKER: Question time over.

Dr. SURESH CHANDRA BANERJI: Then it should be held over.

Mr. SPEAKER: Yes, if you so desire.

### Food situation in West Bengal.

The Hon'ble PRAFULLA CHANDRA SEN: With your permission, Sir, I would make a statement regarding the food situation in the State.

- 8j. JYOTI BASU: Before he makes the statement, Sir, I should like to say if the Hon'ble Minister makes the statement, then we must have our right to speak or comment on that statement. So I want your ruling on the point before the Hon'ble Minister makes his statement.
- Mr. SPEAKER: I think it is not a question of your right but it is a question of procedure. The Government has to be allowed from time to time to make statement, and it then the Opposition desires that there should be a discussion and if Government agrees and time is given, then you can discuss it. So it is not a question of right but a question of procedure.
  - Dr. SURESH CHANDRA BANERJI: जानता time कि शांव।
- Mr. SPEAKER: After the statement is made, if you want a discussion on the statement, please raise that point then.
- Dr. SURESH CHANDRA BANERJI: আবাদের discussion করবার অধিকার আছে তো।
- Sj. JYOTI BASU: If the answer to our demand is going to come at a later stage, I do not see why that answer cannot be given by Government now.
- Mr. SPEAKER: You have not understood the procedure. The Hon'ble Minister should be allowed to make the statement and after the statement is made this question may be raised if the opposition wants that a discussion should take place and if the Government consent to give a date, the discussion will take place.
- Dr. SURESH CHANDRA BANERJI: Sir, I want to speak on a very important point. নাননীৰ নহীবহাপাৰের statement-এর পর আনরা discussion করনার স্বাহাপার

किया? यदि छ। ना शांका यात छद्द छप् statement छनदात बना जास्ता बनावा वास्ता वास्ति का। We want to clear out. (A voice from the Treasury Bench: It is a coercion on the Chair).

Mr. SPEAKER: Even when a particular section thinks it desirable that a discussion should follow a statement made by Government, I think it should not be stated at the very outset. As a matter of fact you can make a demand as to whether Government wants to allow a discussion or not but that stage has not arrived at all. After the statement is made and you hear it, if you consider it necessary that a discussion should take place, then a demand for a discussion can be made later today.

Dr. SURESH CHANDRA BANERJI: On such an important issue unless we are sure beforehand that we shall get an opportunity of discussing it, we shall be under the painful necessity of clearing out.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Supposing the Government did not make a statement, what would happen then?

**3j. JYOTI BASU:** Nothing would happen. But we do not want to hear lectures from Government.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Then Government would not make the statement.

Mr. SPEAKER: The position is that a statement is wanted to be made and the procedure is that that statement is allowed to be made and thereafter if you want a discussion, you should demand a discussion on the subject and it is for the Government to give their mind to it and decide whether a discussion should take place or not.

**3J. SIBNATH BANERJEE:** Let us apply our mind now to discuss it; otherwise there is no sense.

Mr. SPEAKER: I cannot allow a discussion to go on on a subject which should not take place at this stage. The position is that here Government wants to make a statement and I repeat once more that the proper time for asking a time for discussion is the time after the statement has actually been made. Then if the Government does not agree it may be your option to take such course as you think necessary.

- 8j. JYOTI BASU: But then there is no remedy for us.
- 8j. SIBNATH BANERJEE: We won't hear the lecture unless we get an opportunity of discussing the matter.

The Hon'ble Dr. BIDHAN CHANDRA ROY: On behalf of Government I desire to say that we do not want to make any statement.

8j. JYOTI BASU: Thank you for that statement.

### Allotment of Non-Official days.

8j. SIBNATH BANERJEE: On a matter of privilege, Sir. I have made at least a dozen submissions that we must have non-official days. Sir, you are the custodian of the whole House and especially of the Opposition, but I find in the order sheet that there is no non-official day although every Friday should be a non-official day.

Mr. SPEAKER: I shall see to that, Mr. Banerjee.

### COVERNMENT BILLS.

The West Bengal Land Development and Planning (Amendment) Bill, 1951.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I beg to introduce the West Bengal Land Development and Planning (Amendment) Bill, 1951.

(The Secretary then read the short title of the Bill.)

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I beg also to move that the West Bengal Land Development and Planning (Amendment) Bill, 1951, be taken into consideration.

According to the provisions of sub-section (2) of section 1 of the West Bengal Land Development and Planning Act, 1948, the Act extends to the whole of West Bengal except the Calcutta Municipality as defined in clause (b) of section 2 of the Calcutta Improvement Act, 1911, or any area to which that Act has been extended under sub-section (3) of section 1 thereof before the commencement of the West Bengal Land Development and Planning Act, 1948.

In making the aforesaid provisions, it was contemplated that only those areas of West Bengal to which the Calcutta Improvement Act, 1911, had been extended in its entirety, should be excluded from the purview of the Act. In other words where the Calcutta Improvement Trust was functioning, this West Bengal Land Development and Planning Act will not apply. Now, it has been held by a court that extension of merely section 167 of the Calcutta Improvement Act, 1911, and not the whole Act amounts to extension of the said Act within the meaning of sub-section (2) of section 1 of the West Bengal Land Development and Planning Act, 1948, and as a result the acquisition proceedings taken under the Land Development and Planning Act are liable to be invalidated. It should be remembered that these proceedings were taken into hand to promote rehabilitation of refugees. The Bill, therefore seeks to amend the West Bengal Land Development and Planning Act, 1948, so as to make it applicable to all the areas outside Calcutta other than those where the Calcutta Improvement Act has been extended in its entirety so that in areas where only section 167 of the Calcutta Improvement Act, 1911, has been extended the land acquisition proceedings already undertaken in these areas may not be invalidated. The Land Development and Planning Act is after all a Development Act. Similarly, the Calcutta Improvement Trust Act is also another Development Act. It was not the intention of the Government that these two Acts should be functioning in the same area. These two Development Acts should not come into conflict. Government desired that where the Calcutta Improvement Trust Act was really in operation the Land Development and Planning Act should not be extended to those areas. It was not the intention to exclude areas where section 167 which was merely a survey section was extended. As a matter of fact the working provisions of the Calcutta Improvement Trust Act could be brought into operation only after the promulgation of a separate notification. So long as that was not done, no extension of the Calcutta Improvement Trust Act could really be said to have been done. Be that as it may. Unfortunately for the Land Development and Planning Act the court has held that even extension of one section of the Calcutta Improvement Trust Act will mean the extension of the whole of the Act. That, Sir, will defeat the main purpose of the Land Development Act, which is to put into operation the rehabilitation schemes of the Government so far as the suburban areas are concerned. That being the case, it is necessary for us

to amend the Land Development and Planning Act of 1948, so that the acquisition proceedings which have been taken in hand may not be upset or may continue unaffected.

sj. sibnath banerjee : আদি বিল্লে ডদেশাটাই শুধু সমধন করছি। Rehabilitationএর নাম করে এই বিল আনা হরেছে তা ধুব ভাল কথা। গতকাল মন্ত্রীনহাশয় বেরকম ভূল করেছিলেন আমার আশক। হচেছ মন্ত্রীমহাশয় এই বিল সন্তরে সেই তুল তিনি করেছেন। দুর্ভাগ্যের বিষয় শিক্ষামন্ত্রী মহাশরের উপর এই ভুল ৰুছে লেখাৰ ভাৰ পড়েছে। Unfortunately the Court ভুল কৰেছে। খুৰ unfortunate फौरमंत्र शत्क, public शत्क एक unfortunate नग्न। फौरमंत्र त्य गमन्त्र order, व्यक्ति बनव Mogul action लोगेन remedy Courts वा challenge कना यात अपन लाटेन डीएमन बांचा डेडिड, कांबन अवारन পেৰা বাচেচ পুটো Act আগৰে না। আমি বেশী কিছু বলতে চাই না। শিকামন্ত্ৰীরই বেশী ভুল হয় (The Hon'ble Rai HARENDRA NATH CHOWDHURI: To err is human.) Affe to err is human এই विनिध्न (बजारव amend करतरहन Courts) शिरह एम्बरवन विनिध्न खावाह amend कहर इरव। তার চেয়ে আমি বলি বিলটা পরিবর্ত্তন করে ফেলন, তাহলে section 2এর more binding effect হোত। আপনাদের minds কি আছে না আছে তাত Court দেববে না, তা তাঁরা দেবতে রাজিও নর, lawyers of the Court will go by the words in their explanation. They may or may not accept that explanation যদি এইরকৰ indefinite words ৱাধা হয় ভাহৰে শেষ পর্যন্ত শেষা ৰাবে বে, তথু অপনান ও লখনাই প্ৰাপ্য হবে। আৰু দু একটি জিনিম বা এই Acta বলেছেন যদি পাশ করা बाब छ। नव वादबन ७ void हरत बारन। এখানে every decree passed under so and so will be void. Retrospective effect অতার বারাছক জিনিধ। Rehabilitation বদি পরকার, করুন— কিছ আগের আইন অনুসারে যে সমন্ত কাম্ম হয়েছে সেইগুলি void এই আইনের ছারা করতে পারেন কিনা আমানিনা। সেটা Court decide করবে; সেগুলি ভূল কিনা তা Court ঠিক করবে। কিন্তু আমার बत्न इत morally it is wrong. किन्द wisdom बत्न त्य कानत्कत्र जुलात क्रमा जाकरक वन्तन कन्त्व ना । ভাজকে একটা আইন পাধ করলে ধেটা আজকে থেকেই চালু হওয়া উচিত। কাজেই আমার মনে হয় এই Billটা redraftingএর প্রোজন আছে। অবশ্য এই Billটার উদ্দেশ্য ধুবই সাধু এবং এটা যত তাড়াতাড়ি হয় বেইটা ভাল। আমি আর বেণী সময় নই করতে চাই না। তবে উদাহরণস্বরূপ rent controlaর কথা बनाहि। Rent Control Actiticक ठात बात amend करतरहान अत ल्लासन amendment अमन सरतरहा ৰে বাৰা তিন মাসের default হয়েছেন তাঁরাই remedy পাবেন: কিন্তু বাঁৰা এক মাস বা পাঁচ নাস default করবেন তাঁরা কোনই remedy পারেন না। কাল্কেই কালকে দুই বার হয়েছে আফকে এইটাকে আৰাৰ মুছে ফেলে লেখা হচেছ। যদি মুছেই লিখতে চান তৰে ভাল করে মুছেই লেখা উচিত। Calcutta Weekly-Notes—তাতে আছে (The Hon'ble Rai Harendra Nath Chowdhuri : তাও পড়েন নাৰি?) না পড়ি না, তবে পড়িতে ছচেছ for your education. "It has to be observed that this amending Act appears to have been drafted very hurriedly and the effect of it has been to give tenants who have defaulted for three consecutive months in payment-

### The Hon'ble Rai HARENDRA NATH CHAUDHURI : It has upheld the Act.

8]. SIBNATH BANEHJEE: It has to be observed that this amending Act appears to have been drafted very hurriedly and the effect of it has been to give tenants who have defaulted for three consecutive months in payment the relief intended by section 18(i) of the 1850 Act but to deprive all other tenants against whom orders of possession had been made for failure to comply with the provisions of sections 12(i) and (ii) of the 1948 Act of all relief. What this court has held in the cases to which I have referred was that these two latter classes were only entitled to relief and the third class, viz, the tenants who have defaulted in the payment of rent for three consecutive months, was not entitled to relief. The effect of the amending Act of 1950 was to deprive the persons who, this court

has held, were entitled to relief, of all relief and to give to the persons whom the court has held not to be entitled to relief given under that section—

The Hon'ble Dr. BIDHAN CHANDRA ROY: Why is he discussing the Rent Act?

Sj. SIBNATH BANERJEE: Because the Minister wanted to hear. Is the Hon'ble Minister satisfied?

The Hon'ble Dr. BIDHAN CHANDRA ROY: You are always right and always wrong. Go ahead.

8]. SIBNATH BANERJEE: The first portion is correct and the second portion is wrong. Also in the editorial something has been said as to how the amendment——

Mr. SPEAKER: Order, order.

SJ. SIBNATH BANERJEE: I am not reading that.

Mr. SPEAKER: What I wish to point out is this that this is a motion for consideration of this particular Bill but what you have been saying is that the Government is lax in drafting bills. Already you have made your comment that the Government is lax with regard to drafting of bills. Is there anything more to be said on this?

8j. SIBNATH BANERJEE: I have convinced you but I have not yet convinced the Minister.

Mr. SPEAKER: The question is whether you find anything wrong in this Bill and, if so, please confine yourself to that. The motion for consideration of this Bill is before the House. In considering this Bill you are entitled to make the remark that as a result of the mistake of the Government this Bill has come for our consideration. That remark you have already made. Now, have you got anything to say with regard to the merits of the Bill or the demerits of the Bill.

I think you need not go in extenso over that question which you are doing by reading copiously from the Calcutta Weekly Notes relating to the Calcutta Rent Control Act and the remarks made by the courts in disposing of cases instituted under that Act. I think one word is quite enough to point out the defects.

**3j. 81BNATH BANERJEE:** I was quite satisfied with reading the first line only to show that the Act was drafted hurriedly but the Hon'ble Minister wanted me to read the whole thing. So I was under the painful necessity of reading it.

The last sentence of the Statement of Objects and Reasons reads thus "The Bill seeks to amend the West Bengal Land Development and Planning Act, 1948, so as to make it applicable to areas where only section 167 of the Calcutta Improvement Act, 1911, has been extended so that the land acquisition proceedings already taken under that Act in those areas may not be invalidated."

অৰ্থাৎ বেখানে action নিচেছন গেখানে Court ইচছা কৰলেই invalidate কৰে দিতে পাৰে। সেখানে এটা protect কৰছে। (The Hon'ble Rai Harendra Nath Chaudhuri: That's it.) কিছু আৰি তাতে satisfied নই। বেখানে তাঁৱা action নিচেছন সেখানে land requisition করা rehabilitationএর জন্য সন্তব। সেখানে section 167কে extend করা হয়েছে। সেখানে Goverment step নেন নাই to requisition the land. সেখানেও এই বিলে একটা enabling section

बीका नजनाव। त्यनात्व case courte क्षण court त्यक त्यों invalidate इक्षण नजनाव। चार्छ। त्यों क्षण व्याप्त वार्ष्य वार्ष वार्ष वार्ष वार्ष्य वार्ष वार्ष्य वार्ष वार्य वार्ष वार्ष वार्ष वार्ष वार्ष वार्ष वार्य वार्ष

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Two points emerge from the speech made by my friend opposite, firstly that he welcomes the Bill, but as he cannot, sitting in the Opposition, fully welcome any measure coming from this Government, secondly, therefore, he must have a fling at the Government. Now, Sir, no Act has yet been passed by any Legislature which has not to be amended subsequently in view of the decisions of the court. No Act can be framed by any Legislature, Sir, which can be lawyer-proof, and my friend Mr. Gupta knows that very well. Sir, the provisions of any Act will certainly come to be discussed in the law courts and the adequacy or inadequacy of the provisions will be determined by the courts. That is the function of the courts. So, Sir, in view of the decisions of the courts, Acts may have to be amended and there is nothing to regret in that. Every Act, even a well-planned Act, even Acts which were passed in more normal times and not hurriedly, that is, under immediate pressure of circumstances, even the provisions of those Acts came to be challenged before the law courts and had to be amended repeatedly. There is nothing to regret in that. Now, if the Government erred, well, Sir, the whole Legislature erred because the Act was passed not by the Government but was simply proposed by the Government. In a democratic country every legislation is proposed by the Government but the Legislature has to scrutinise it. Therefore if there be any error or mistake in any law the Government as well as the Opposition, Sir, are equally responsible for it. The Opposition cannot say, "Well, we passed the Act but the responsibility for any errors that may be there in the Act is entirely Government's own." If that stand is taken by a member I should say that can only be the height of irresponsibility on his part to say

Now my friend Sri Sibnath Banerjee says that the provision for retrospective effect may not be considered valid by the courts. Well, Sir, it will be again for the courts to consider whether the provision for retrospective effect which has been made is valid or not. Whether it can be given effect to or not will be, again, for the court to consider and if we come to grief again, well, we shall try to correct ourselves. That is the way in which all human activities in this world are carried on. Nobody, Sir, can claim that he is error-free or perfect. He suggested that some other provisions should have been made to the effect that wherever Section 167 may have been extended the acquisition proceedings there will not fall through. That is, Sir, what we have tried to ensure. Only my friend Mr. Sibnath Banerjee has not understood that. That is all I have got to say, Sir, in reply.

The motion of the Hon'ble Rai Harendra Nath Chaudhuri that the West Bengal Land Development and Planning (Amendment) Bill, 1951, be taken into consideration was then put and agreed to.

### Clause 1.

The question that clause 1 do stand part of this Bill was then put and agreed to.

### Clause 2.

The question that clause 2 do stand part of this Bill was then put and agreed to.

### Clause 3.

The question that clause 3 do stand part of this Bill was then put and agreed to.

### The Preamble.

The question that the Preamble do stand part of this Bill was then put and agreed to.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I beg to move that the West Bengal Land Development and Planning (Amendment) Bill, 1951, as settled in the Assembly be passed.

8j. SIBNATH BANERJEE: बाननीय क्यों बहान्य वा बलाइन छात्र तनी छेखत एक मा। बक्छा क्षिनिय छिनि बत्तरह्म त्व ध्ये Billum Section 162 extend कृतित त्निष्ठा incorporated हत्तरह्म कि ना क्षानि ना, छत्व छात्र क्षांके accept करत निष्ठिह। छैनि या बत्तरह्म त्निष्ठे। by trial and error क्षिक हत्व बार्ब court त्वरक थाक्का किता।

এই রকন তুল Bill বার বার present করলে House or country খাপনাকে নাও বাবতে পারে। (The Hon'ble Rai Harendra Nath Chaudhuri : খানার successors থাকবে।)

পুৰ্বে একটা system ছিল বে standing committees নুজন Bill বা amending Bill পাঠান হ'ড। সেই practiceটা এখন discontinued হয়েছে কি না আনি না, তবে Calcutta Weekly-Notesa বলা হয়েছে বে whether there should be some Standing Committee charged with examining the implications of any proposed Act or any proposed amendment. For some time past a practice had grown of taking the opinion of the different Bar Associations in respect of proposed Acts. The practice was discontinued and perhaps the draughtsmen were inclined to think too much of their ability in foresight and knowledge. The need for greater circumspection was made clear in arguments at the bar and in judicial pronouncements. I commend this paragraph for the reading and re-reading of the Hon'ble Minister.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I do not require to be wise only after hearing or reading the reference which has been made by Sj. Sibnath Banerjee.

Mr. SPEAKER: The responsibility is of every section of the House as soon as a Bill emerges from this House and if there transpire any defects in the actual working of an Act the blame for it cannot be laid at the doors of any particular section of the House as the House as a whole is responsible for the proper drafting of a Bill before it is enacted.

The motion of the Hon'ble Rai Harendra Nath Chaudhuri that the West Bengal Land Development and Planning (Amendment) Bill, 1951, as settled in the Assembly be passed was then put and agreed to.

### The Calcutta Tramways Bill, 1951.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I beg to introduce the Calcutta Tramways Bill, 1951.

(The Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: I beg to move that the Calcutta Tramways Bill, 1951, be taken into consideration.

The Statement of Objects and Reasons given in the Bill explains the approach which the Government made with regard to these arrangements

of taking over the Calcutta Tranways. It will be recalled that the Calcutta Tranway Company have got contracts, periodical contracts with several constituted bodies like the Calcutta Corporation, the Behala Municipality, the Howrah Municipality, the Secretary of State and the Port Commissioners. They also have extended their services to Tollygunge Municipality although there exists no contract with that municipality. And what is the contract? The agreement is that at the end of every seven years by giving one year's previous notice each one of these contracting bodies might take over the Calcutta Tranway Company at a price which is agreed, and the Agreement states that it will be 25 times the difference of the average income and expenditure of the last seven years. The difficulty of taking over the Calcutta Tranway Company or rather—I may be pardoned for using an expression which is a hackneyed one—to undertake nationalisation of the undertaking has been that there have been so many different agreements and the period of the agreement at one time has been fixed at seven years.

And secondly it has been found that the term of agreement with these bodies, if followed, would mean payment of a price which would be uneconomic. Therefore, while the purchase of the undertaking on the basis of the existing contract is impossible, the present rights to purchase under the existing contracts occurring regularly at intervals of seven years create a sense of uncertainty which impedes development. The only way to make it a State-owned undertaking would be to, first of all, remove this difficulty of abolishing all the existing contracts. Such an agreement could only be made with the Government, and Government have already entered into an agreement with the Calcutta Tramways Company as has been mentioned in the Preamble to the Bill on the 30th of August subject to the ratification of this agreement by the Legislature. It will therefore be seen that this Bill has been brought forward in order to ratify the agreement which has been arrived at between the Government and the Calcutta Tramways Company. The bases of the new agreement are the following: first, the purchase price is definitely fixed and is unalterable. I will come to the details of it, but the price has been fixed and we find that the price that has been fixed is a reasonable one. Secondly, the entire tramway system is covered; thirdly, the Government takes the place of the many parties with whom the Company had previously contracted; fourthly, the Company is given a fixed tenure of 20 years but the appropriation of earning during this period is strictly regulated by the agreement; fifthly, provision is made for adequate replacements and renewals during this period so that at the end of the period of the contract the condition of the rolling stock and of the other materials, carriages, etc., would be in a proper condition.

Then the next point to my mind is a very important one, and that is that the company shareholders will be allowed to have a dividend of 4 per cent., and anything extra after paying the other expenses will be transferred to a special Reserve Fund to the benefit of the Government, and it would go to reduce the purchase price at the time of transfer. And finally, the arrangements have been made as definite and complete as possible so that further negotiations on difficult points will not be necessary at the time of purchase.

I have been forced to put this Preamble to my speech because I find that there have been many suggestions in amendments which have been put forward which, I feel, may have been due to wrong appreciation of the position which the Government has placed before the Assembly in this Bill.

Sir, I have said before that the question of taking over of the concern by the Government—whether the price is paid today or the price is paid after 20 years—means nationalisation. I do not know whether we can really use the word "nationalisation" for such activity because we generally call it provincialisation, the word "nationalisation" being left for the use of the Centre. However that be, the question therefore is that supposing we had the money to pay the concern now and make an immediate purchase, even so we shall have to have an organisation for running the concern whether that organisation happens to be a statutory body appointed by the legislature or an ordinary ad hoc body. There would be some persons appointed as Managers—some persons who would have to look after the interests of the concern.

Therefore the first proposition is that we get the money for the purchase of this undertaking. I am perfectly aware of one amendment which says that the concern should be bought over for a figure of £1. Sir, it would be lovable if you can take over other people's properties—(Sj. Jyott Basu: Whose property is it?)—the properties bought over by other people with their money,—if we can take it over for our use without paying anything, there is nothing more wonderful than that. We can all indulge in that and be each other's companion in this endeavour. But in view of the Constitution that we have got, it is not possible. For, section 31(2) of the Constitution says: No property, movable or immovable, including any interest in any company owning any commercial or industrial undertaking shall be taken possession of or acquired for public purposes under any law or authority which authorises the taking over of such possession or acquisition unless the law provides for compensation for the property taken possession of or acquired.

8j. SIBNATH BANERJEE: On a point of order, Sir.

Mr. SPEAKER: What is the point of order?

8]. SIBNATH BANERJEE: The point of order is that is the Hon'ble Chief Minister entitled to refer to an amendment which is not before us yet? He can make a speech that compensation should be given or compensation should not be given, but he is referring to a particular amendment. I think he is not entitled to do that.

Mr. SPEAKER: Generally we do not refer to an amendment which is not before the House, but the Hon'ble Minister at this time takes notice of some idea which is in the air.

The Hon'ble Dr. BIDHAN GHANDRA ROY: I may tell my friend over there that there are other people besides his friends who also would like to possess other people's property for zero value, but that is neither here nor there. We are bound by the constitution which states that we cannot take over another person's property without paying compensation and what that compensation is has been discussed and decided by the law-courts over and over again. It would be recalled by the member—

Dr. SURESH CHANDRA BANERJI: On a point of privilege, Sir. The Chief Minister as the Leader of the House when he quotes the constitution and an article of it should quote the whole of it and not a part of it. It not only provides—

Mr. SPEAKER: That is not a question of privilege.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am not taking my cue from Dr. Banerji as to what I have to say and what I have not to say. I am very sorry I cannot satisfy him. My point is if there is to be taking

over of any concern, it has to be taken over on payment of compensation. As I just said the law-courts have held over and over again that compensation means compensation at the market price or compensation on the basis of any agreement that might be subsisting between the parties concerned. Therefore, we have got to think in terms of our constitution because we cannot scrap it. Therefore, the question arises as to whether we can, subject to our constitution, take over the concern and pay the market price. Before we entered into agreement, we employed experts belonging to different organisations like the Railways and so on to assess, as far as possible, the present valuation of the property. We also calculated what would be the valuation of the property according to the terms of the agreement that is already subsisting between the Corporation and the different statutory bodies and we found that the total purchase price which we have fixed is nearly half of what the purchase price would be if we either take the present market value of the property or if we take to calculation on the basis of the different agreements that have been entered into. So, that is the first point that if we were to pay compensation, we cannot afford to pay compensation on the market value or on the basis of the contracts because that would not be economical. Therefore, we have to get together and try to reduce that price and we have succeeded in doing that.

The second point is that even assuming that we were able to pay that money, the question is whether we should lock up this money in this concern or invest it in some other more productive concern. Probably, members of the Assembly are aware that we are committed to pay nearly 47 crores or probably more to the Damodar Valley Corporation as our share of the Damodar Valley project. Then we are committed to pay a sum of 14 crores or nearly 15 crores for the Mor project. The estimate of the Damodar Valley may even go higher. Therefore, the question is whether we should lock up this money in this fashion. Sir, in April, 1948, the Government of India passed or laid down the industrial policy which has now the approval of the Planning Commission. In this it is stated that for some time to come the State can contribute more quickly to the increase of national wealth by expanding either its present activities wherever it is already operating or by concentrating on new units of production in other fields rather than on acquiring and running existing units. Therefore, the second point is that if we have the money whether it would be practicable to have a policy to acquire and pay for the concern just at the present We have not been able to follow the easiest course, viz., of acquiring the property on payment at the present moment. The question, therefore, naturally is whether we can replace the agreement which is now existing between the different bodies and the Calcutta Tramways Co. by another agreement. This agreement, as I have said before, is before you in the form of Schedule No. I. In this agreement there is one body only, viz., the Calcutta Tramways Co. The question, therefore, is why the Calcutta Tramways Co. felt it necessary to ask for a lesser price or felt it agreeable to ask for a lesser price than what they would have got under the present contract. (Sj. Debendra Nath Sen: It is no lesser price.) The answer is simple. While the price under the existing agreement would amount to about Rs. 10 crores, the price under our agreement is Rs. 5 crores and I always thought that 5 was less than 10. Therefore, we felt that it was necessary for us to find out why they wanted to agree to this agreement. The obvious reason was that they wanted a longer period of lease—a longer period of management—and therefore we agree to 20 years' management of the concern. Now, this agreement has been entered into, as I have suggested, and now the question is what are the details with regard to the terms of the agreement. The terms of the agreement state that price is to be fixed and the price is fixed on the basis of the book

value—not the market value—of the undertaking plus 40 per cent. increase, e.g., a piece of land which was bought in 1920, let us say, at Rs. 100 a cottah, we will pay Rs. 140 for that piece of land which probably would today fetch at least ten times the amount. Similarly, with regard to the permanent ways because everybody knows that at the present moment the market value of these things is much higher than the book value. Therefore, what we say is that the purchase price that we have fixed is on the very low side.

The next proposition is that during the period of 20 years they have to take the approval of the Government for any expansion which needs more capital investment. You will realise that today the capital that we are going to pay or agreed to pay is about, say, 5 crores. We will not allow them to raise more money in the market and invest it in capital expansion without our approval. Because we will have to pay that money at the time of purchase 20 years hence. Therefore that is the second control that we possess. The third control is the establishment of an Advisory Committee. This Committee consists of two members appointed by the Government, two members appointed by the Calcutta Tramways Company, the Chairman to be appointed by Government in consultation with the Company. The Advisory Committee shall deal with matters affecting any proposed extension of the undertaking which does not require any increased capital, alteration of routes whether these involve re-alignment of contracts, questions involving labour disputes, fare-schedules of the services carried on by the company and other matters. This Committee, I feel, is a great advance on the present state of affairs. Government will have now some of their representatives in the company, an undertaking, which we are not paying for at the present moment, but still they have agreed to take advice from us with regard to many matters. This, I think, is a very important matter. We see Calcutta and its neighbouring areas, the geography of the place is changing from day to day, new settlements are taking place, new areas are being developed and one of the fundamental propositions for the development of an area in a particular direction would depend greatly upon the provisions for proper conveyance and communication in that area. Through the Advisory Committee the Government will have the power to secure communication to any area which they propose to develop.

The next point is the question of the condition of the undertaking at the time of purchase. I have seen notice in the papers that after 20 years the Company's undertaking may not be of the same value as it is today. Therefore it has been definitely laid down that a sum of £80,000 shall be provided for every year before we give money to transfer over to the shareholders' account for the purpose of renewals and replacements. We feel that if the renewals and replacements are done properly as we expect them to do it is more than likely that the condition of the undertaking and the permanent ways and cars, etc., would be the same 20 years hence as it is today. As a matter of fact this provision for renewals and replacements is really a provision for depreciation such as we see in ordinary accounts.

The next question is, as I have said a little while ago, that we insisted that on the valuation of the assets today and not on the purchase price as it exists today, the Company will get 4 per cent. and not more, as dividend to be paid to the shareholders. I think this is a move in the right direction, because you curtail the amount which is paid to the shareholders as dividend of any concern. The next point in this particular undertaking is that after payment of £80,000 for renewals and replacements and payment of the dividend at 4 per cent., the remaining portion that would be left over will be carried to a reserve fund. Of course in a particular year it

there is a loss due to causes beyond anybody's control, the money which is carried to the reserve fund may be utilised with the previous consultation of the Government, for paying such losses, but ordinarily this portion of the reserve fund will be accumulated and at the end of 20 years they will form a sum which will not be a negligible one and which I reckon should not be less than 25 per cent. of the total purchase price of today and which can, therefore, be taken to lower the price with which we purchase the undertaking. The conditions which we feel should be laid down for the purpose of any such scheme of nationalisation are that the benefits of such ownership and management must be restricted to a reasonable level, that the present management must be able to render good and efficient service to the people and that the road to nationalisation must be made clear by removal of all existing barriers and hindrances. Meanwhile there will be sufficient time for our people to be trained. One of the conditions laid down which they have accepted is that they will train our men within the next 15 or 20 years so that we could have trained men at the end of 20 years when we take over the concern. Nationalisation does not necessarily mean mere transferring from one group of people to the other. It should mean the utilisation of the concern for the benefit of the people. Therefore from the point of view that I have urged before the House just now we feel that the Agreement that we have entered into is the best agreement that we can forge under the present circumstances considering everything from all points of view and therefore it is obvious that it is not possible for us to deviate in any important particulars from the Agreement which has been entered into already between the Company and the Government.

With these words, Sir, I move that the Bill be taken into consideration.

- 8j. JYOTI BASU: Sir, I beg to move that the Calcutta Tramways Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 15th March 1952.
- 8j. DEBENDRA NATH SEN: I beg to move that the Calcutta Tramways Bill, 1951, be circulated for the purpose of eliciting public opinion thereon by the 31st December 1951.

I further beg to move that the Calcutta Tramways Bill, 1951, be referred to a Select Committee——

- Mr. SPEAKER: Please move your Select Committee motion after the present one has been disposed of.
- 8j. SIBNATH BANERJEE: Sir, after the Hon'ble Minister has moved his motion, we should have an opportunity to make general remarks and then the motions may be moved.
- Mr. SPEAKER: These amending motions for circulation are on record and should be moved first as amendments to the main motion.
- 8j. SIBNATH BANERJEE: Of course these motions must be moved, but if hefore that anybody wants to oppose the main motion, I think he should be allowed to do so.
- Mr. SPEAKER: We have always had the practice that these are connected with the main motion and they should be moved first.
  - SJ. SIBNATH BANERJEE: All right, I do not object.
- 8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that the Calcutta Tramways Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 15th November, 1951.

Or. SURESH CHANDRA BANERNI: Sir, I beg to move that the Calcutta Tramways Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 1st of November, 1951.

্বিrijukta BIBHABATI BOSE: নাননীয় স্পীকার বহান্য, পশ্চিম বাংলার সরন্ত বারপন্থী ও সরাজবাদী ললের শৃতিনিধি হিসাবে আবি আজ এখানে কলিকাতা ট্রামণ্ডমে বিলের বিক্তমে শুতিনাদ জানাতে চাই।

এই বিলে আছে আগানী ২০ বছরের জন্য বৃটিশ ঝার্থ কারের বাধার অনীকার এবং সুদূর ভবিধাতে জাতীর-করণের এক বিখ্যা আশা। কেবল তাহাই নহে এই company করের ব্যবহা বৃটিশ পুঁজিবাদীলের এক অন্যাব্য ও অভিবিক্ত হারে বুল্যা দিবার পুতিশু তিতে করা হইরাছে। আমি বিলা বিধার একথা বলিতে পারি বে বৃটিশ পুঁজিবাদী ও কংগ্রেশী দলের মধ্যে এক বোঝাপড়ার পরিকার পরিচর আমরা এই বিলের মধ্যে পাইতেছি। ১৯৪৭ সালে ইংরাজনের হাত হইতে কংগ্রেশী দল বে তথাকবিত ঝাবীনতা গ্রহণ করিবাছিলেন ভাষার মূল্য আজ জীয়াদিশকে দিতে হইতেছে।

আনি আনি বে বর্ত্তবান সরকার অনগণের প্রতি উহাদের দাছিব সম্পানু করিতে অপারগ। আনি ইহাও আনি বে কলিকাতার ট্রাওবে আতীরকরণ করিতে হইনে বে দৃষ্টভকী ও বে সাহসের পুরোজন তাহা এই পরিবরের নাই। কিছ আনি জিপ্তাসা করতে চাই পশ্চিম বাংলার অনসাধারণের ভবিষ্যৎ অধিকারগুলিকে বর্ষে করিতে বর্ত্তবার পূর্তবিন্দিই উদ্যুত হইরাছেন কেন? এবং আগানী সাধারণ নির্বাচনের পর বে নূতন গভর্গবেশ্ট গঠিত হইবে উল্লেক্ত উপর এই দার চাপাইভেকেন উহার। কোন অধিকারে?

১৯৪৯ সালে জুন বাসের দক্ষিণ কলিকাতার উপ-নির্বাচনে ইয়া পুরাণিড ঘইনাছিল বে পশ্চিম বাংলাল জনসাধারণের এবং বিশেষ করিব। কলিকাতার নাগরিকবৃন্দের, বর্জবান শাসনকর্তাদের উপর কোনই আছা নাই। গত দুইটি উপনির্বাচনে কলিকাতাবাসীগণ সরাজবাদী কর্মপন্নার তাঁহাদের সম্পূর্ণ বিশাস বোষণা করিবাছেন। ইয়া বলাই বাহুলা যে এই বহানগরীর এরূপ একটি কল্যাপকর প্রতিঠানের সহিত তাঁহাদের স্বার্থ গতীরভাবে জড়িত। আমি বৃচ্তার সহিত একথা বলিতে চাই যে এই বহানগরীর বাসিন্দাদের যত জ্গাহা করিব। এই বিল উপ্পাপন করার কোনও অধিকার বর্তমান সরকারের নাই।

ভারতবর্ধের একটি বিলেঘ পুগতিবাদী নির্বাচকমণ্ডলীর পক্ষ হইতে এবং এই পুনেশের সম্মিলিত বামপন্ধী দলগুলির পক্ষ হইতে আমি দাবী করিতেছি যে কলিকাতার ট্রাম বারস্থা অবিলয়ে আতীরকরণ করা হোক। বর্দ্ধ-মানে আমাদের ন্যুনতম দাবী যে সবকার এই বিল পুত্যাহার করুন। কোন মতেই পশ্চিম বাংলার জনসাধারশের কটোপাজিত অর্থ হইতে ট্রাম কোন্শানীর বৃটিশ অংশীদারদের অন্যায়্য ও অভিরক্ত বুল্য দেওরা চলিবে না। এই পরিঘদের কার্য্যকাল শেঘ হইতে চলিয়াছে। আগামী বংসরের পুথমেই সাধারণ নির্বাচন হইবে। এই অবস্থার এমন একটি বিল তাড়াতাড়ি পাশ করাইরা লইবার এই সরকারের কোনও অধিকার নাই, বাহার হারা আমাদের জনসংশের ভবিষ্যাৎ কুনু হইবে। যদি বর্ত্তরান সরকার জনগণের স্বার্থ রক্ষায় অপরাগও হন, তাহার। অন্ততঃ আন্ধ্রনিক্তরের পথ হইতে বিরত থাকুন।

ইহা বনিরা আমি কনিকাতা ট্রামণ্ডরে বিলের তীনু বিরোধিতা করিতেছি ও গাবী করিতেছি বে তাহা **অবিলয়ে** প্রত্যাহার করা হউক

Sj. DEBENDRA MATH SEN: Mr. Speaker, Sir, it is crystal clear that we differ on the merits of this Bill. The Hon'ble Minister in charge of the Bill has said that it is the best agreement that they could have reached, but according to us it is the worst that could have been done and as such I have put in those two amendments, that the Bill be circulated for eliciting public opinion or the Bill be sent to a Select Committee so that it would go into the pros and cons, the merits and demerits that are in the Bill.

As I was saying, from our point of view this is the worst agreement that could have been reached. I consider that this agreement is not in the interest of the people of West Bengal but it is for the benefit of the capitalists. I do not like to make a distinction between foreign capitalists and Indian capitalists so far as this Bill is concerned, for here both Indian and toreign capitalists have combined and it is this combination which has

cast its influence upon the West Bengal Government, and the West Bengal Government in its eagerness to please the capitalists has disgracefully agreed to bring about this agreement. After all, what was the necessity of having this agreement? If we are not going to nationalise the concern, what was the necessity of this Bill and why this secrecy? Why was it not published and the Press and the public not taken into confidence? Why was not the working class taken into confidence? Why the employees of the Tramways Company were not taken into confidence when this agreement was talked about? Sir, I can understand the reason for this hurry, and that is that most of the Ministers have realised that they would not be able to come back after the next General Elections. The Tramways Company also realised that after the General Elections the present set-up will not be able to come back and they are therefore anxious to have an agreement just now. That is why these two sets-the Tramways Company and the present Cabinet-have thought it wise to bring about an agreement and to force it upon us visualising that after the General Elections another set would come in which would be more progressive and would go to nationalise the concern. That is why there is this hurry and this secrecy. So it must be held in secrecy and it cannot bear the light of the day. Sir, there are many reasons why this secrecy has been maintained. As I was saying, here was a combination of the British and Indian capitalists. The Minister in charge of the Bill gives us the percentage of shares in the Tramways Company owned by Indian industrialists. But is it a fact that their shares had a higher price and that that price or the value of the share has now come down to Rs. 16-8 or something like that from Rs. 62-2 in 1945? Is it a fact that some big Indian industrialist has made a huge purchase of the shares and having been faced with a crisis as the price of share has fallen down has brought to bear his influence upon the Chief Minister to bring about this agreement? Sir, that is the secrecy about it.

Sir, I want to say that as early as 1946 there was a Tribunal set up for adjudicating the disputes between the employees and the employers of this Tramway Company, and the gentleman who was selected by the Tramway Company to represent their case was Mr. Birla. I will show how the Indian capitalists in alignment with the foreign capitalists have been influencing this Cabinet to the detriment of the interests of the people of West Bengal.

Sir, we are surprised that at a time when the people of Asia are taking a definite step against the dominance of such capital, it is West Bengal that will fall back. I will particularly bring to your notice the case of Iran. It may be a small country, but the people are great, and they are putting up a great fight for the elimination of foreign capitalistic domination. That has been my experience when I was on tour last year in South-East Asia; in Burma and in Indonesia also I found people very much anxious to terminate the remnants of foreign exploitation. Red China has already taken up this task. Why then should West Bengal follow a different course against the time-spirit that is operating throughout Asia, and particularly, throughout South-East Asia?

Sir, it has been said that the object of this Bill is to empower the Government of West Bengal to nationalise the Calcutta Tramway Co. That is in the Bill—a Bill to empower the Government of West Bengal to acquire the undertaking of the Calcutta Tramways Company, Limited. Nothing could be more incorrect than this. I say it is a hoax, for if the Government wants to take over the establishment, there is nothing that can prevent it. If it is said that there are different contracting parties which stand in the way, I think those could be taken over in a day, and there is nothing now which prevents us from taking over this establishment. So, Sir, the purpose of this Bill is not to take over the undertaking. The

purpose of this Bill is to postpone the taking over for at least another 20 years. The purpose of this Bill is to find down the future generation for 20 years, so that they may also not easily take over this undertaking. Whatever Government may come, they will tell us "look here, we have got an agreement and not only that, the agreement has been sanctified by an Act of the Legislature". It is laid down in the agreement that this agreement must be sanctified by an Act of legislature. And why the Company has insisted upon it? Because the company suspects that the future Governments in West Bengal will not be so docile, will not be so subservient to the capitalistic interests, and, therefore, they want precautionary measures from today and as a definite step this agreement has been brought before this legislature at the fag end when it will last for say, one month more. That is what the purpose of the Bill is. I say this in all seriousness. I will try to show that there is no benefit conferred on us; I will show that the price that has been fixed is much higher than the price that we had to pay under the existing contracts. I say that it is a move to show that the Company cannot pay more than four per cent. dividend. All this is false. These things are not in the Bill. We cannot accept a mere statement from the Minister. We want them in the Bill. That is why I say that the object of the Bill is to postpone taking over—

Mr. SPEAKER: Mr. Sen, please resume your speech after the recess.

(At this stage the House was adjourned for 15 minutes.)

### (After adjournment.)

8j. DEBENDRA NATH SEN: Sir, in the Bill two obstacles have been mentioned which stand in the way of nationalisation of this establishment. One is that there are various contracting parties and none of them is strong enough to take over the unit to run it profitably. I realise that difficulty, but that difficulty could be wiped out. By effecting this agreement all these contracting parties have been wiped out. If they could be wiped out for the purpose of this agreement, they could easily be wiped out for the purpose of nationalisation also. So this obstacle does not stand in our way. The second obstacle that has been mentioned is this that the purchase price according to the principles laid down in the present contracts was found to be prohibitive, and this new agreement gives us a very reasonable price. Sir, I do not believe it, and I will show that the price now fixed is higher than the price that we had to pay under the existing contracts. But before I do so, Sir, there is one point which needs reference also. In the Bill it has been stated that under the existing contracts with a view to purchasing the establishment we would have to pay 25 times the difference between average gross annual receipts and the working expenses of the undertaking over a period of seven years immediately preceding the date of purchase. In the Year Book I found a slightly different language, but that is very material for the purpose of calculation. The language given in the Year Book is this: the purchasing price will be fixed at 25 times the net yearly earnings of the company. Here it is mentioned as difference between the average gross annual receipts and the working expenses. There is difference between these two bases of calculation and I will give my calculation on the basis given in this Year Book. I will try to show that the price fixed is high. Sir, the average net annual earning for the seven years ending in January 1952, that is to say at the time when the option to purchase this concern could be exercised, will be £98,000 assuming that the profit for the years 1950, 1951 and 1952 will remain the same as the profit in the year 1949. The profit in the year 1949 has been given as something in the region of £98,000. Going into the figures for the years before 1949 it is obvious that the company has

been carning less and less net profit since 1945 and in 1946 it suffered a loss. In 1947 although it did not suffer loss it could not declare any dividend. Of course since 1948 it is again reviving and in 1949 the profit has come to the region of £98,000. ( I take this figure as the basis and say that the company will be able to earn this profit in 1950, 1951 and 1952 also. So the average for the seven year period will be therefore this £98,000, roughly speaking one lakh pounds. 25 times this one lakh pounds will be £25,00,000 but the price fixed under this new Agreement is £37.5 lakhs, an excess of 12.5 lakh pounds or something in the region of 2 crores of runees. I would like to be repudiated by the Hon'ble Minister if the facts given by me are wrong. So my contention is that the Government coming into power in 1952, if it wanted to exercise the option to purchase the undertaking, should be able to purchase the undertaking by paying only £25,00,000 if there is no such Agreement as the present one forced upon them. Let us have another set of calculations and let us calculate the amount the shareholders would get at the purchase price fixed by the Government now. The total share capital of this concern is £9.5 lakhs of which £25 lakhs represents the Preference Shares. So the shares getting the benefit of multiple value is only of the value of £7,00,000 and the holders of the shares of this value will be the recipients of any benefit that this new price fixed by the present Agreement would confer on them. The value of the debenture stock is £6,00,000 and the value of the Preference Shares is £2,50,000. Deducting these two figures from the proposed purchase price of £37.5 lakhs we arrive at the figure of £29,00,000 and this £29,00,000 will be distributed to the shareholders possessing only £7,00,000, that is to say, for every pound he will be receiving more than 4 times, more than 4 pounds; for every 100 pounds he will be receiving more than 400 pounds and this return that they will get is based on the price that this new Agreement is going to fix and that is the return which the shareholders will be getting if their shares are taken over when the undertaking is taken over after a period of 20 years. Under the existing contracts giving the option to purchase the undertaking at intervals of seven years the purchase price should be equal to 25 times the difference between average gross annual receipts and the working expenses of the undertaking over a period of seven years immediately preceding the date of purchase. So it is clear that the price is fixed on the basis of the net profit for the 7 year period and if there was no profit in a particular year or years the purchase price would be reduced accordingly. That is an advantage under the existing contracts which has been wiped out in the new Agreement. Under the new Agreement the purchase price is fixed ad hoc whether the company makes any profit or not, whether the company's stock in the godown continues to exist or is burnt out and even if the company mismanages its activities. Yet every one of them will get for one pound more than four pounds, for every 100 pounds more than 400 pounds. There is thus a great lacuna in the New Agreement although it is a benefit to the shareholders owning the shares worth £7,00,000. Under the existing contracts the purchase price would be fixed on the net yearly earnings and if the earning was small our price would also have been small and whenever there will be a fall in the net profits of the company the purchase price of the undertaking would correspondingly be reduced and if this formula will not be there the company will have no incentive to increase its profits. But this salutary principle has been given the go-by in the New Agreement and as per this New Agreement whether the company runs the undertaking for a profit or not, makes any profit or not, whether the company's whole stock is wiped out or not by fire or by theft, the shareholders will be the recipients of this return of more than 4 pounds for every pound of their investment at the time, i.e., after 20 years, the whole undertaking is purchased. Under the existing contracts, Sir, there is a check on the

inasmuch as the lesser the net profit the lesser will be the purchase price paid. But under this new Agreement there is no such check on the Company. Under this new Agreement a sum of £87,457 will be set aside in each accounting year in a fund called "the Shareholders' Account" from which their dividends will be paid. Here also an ad hoc amount has been fixed. What would be the amount of profit nobody knows but an ad hoc amount has been fixed, and that amount will be segregated to a special Fund for the purpose of paying dividends from out of it.

In clause 5(3) of the Transfer Agreement shown in the First Schedule to the Bill, I mean the new Agreement, it is provided "Any sum for the servicing of the debenture-stock of the company, that is to say, any sum set apart for, or used in, the repayment of the debenture-stock of the company shall, in the year ending the thirty-first day of December one thousand nine hundred and fifty-one and in each subsequent year, be paid out of the shareholders' account and be a charge on the same". So the calculation I showed you previously of deducting the value of the debenture-stock from the total purchase price fixed has to be amended in view of this clause 5(3) which says that the repayment of the debenture-stock of the company will be made out of the shareholders account. So to that extent the purchase price fixed of £37.5 lakhs will not get diminished as I thought previously and so all this 37.5 lakh pounds goes straight to the shareholders and not a single farthing of that need be paid for the repayment of debenture-stock. In that case the shareholders will be getting a return of more than 5 pounds although I said previously on the basis of a calculation I made then that the return would be more than 4 pounds, that is to say, for every 100 pounds they will be getting more than 500 pounds. That is the nature of the agreement.

Then I come to the question of dividends and how they are going to be paid. As regards dividends, 87,000 pounds have been set apart for payments towards the 9.5 lakhs of capital. Therefore what is the rate of dividend? It is 9 per cent. The Hon'ble Minister has said that the Company will not be able to pay more than 4 per cent. as dividend. Then why is it so? In the Statement of Objects and Reasons I find that profit in excess of 4 per cent. as on the capital at charge goes into a Special Reserve Fund. But in the body of this Bill is there any provision that this company will not be allowed to pay more than 4 per cent. to shareholders as dividend? I find, Sir, in Article 4(d) (i) and (ii) of the First Schedule there are provisions made for 87,000 pounds for a lump sum and 4 per cent. upon any additional share capital. That is the only restriction that I find put in the Bill. Therefore, for any additional outside capital the company cannot put in more than 4 per cent. to the Special Reserve Fund. But where is there in the Bill that this company will not be allowed to pay more than 4 per cent. because this 87,000 pounds will have to be paid to the shareholders. If it is not paid now, it will be paid subsequently at the time of purchase. That is in clause No. 7(c). Government shall also pay to the company in sterling in London the amount of the balance, if any, to the shareholders' account on the purchase date. So where is the guarantee that this 87,000 pounds represent not more than 4 per cent.? And if you say that the company will not be able to pay more than 4 per cent., then what about the balance? You say that that balance will have to be paid by the Government to the company at the time of purchase. The Hon'ble Minister should have drafted the Bill more dexterously if he really wanted to give not more than 4 per cent. Assuming that debenture is defrayed as indicated in Article 5(3), then this 9 per cent. will come down to 6 per cent. But you cannot deduct the value of the debenture stock. If y

you will be paying more than 5 pounds to the shareholders' account. If you do not deduct from this Special Fund, then you will be paying to the shareholders 9 per cent. dividend. That is the position which is revealed in this Bill.

Sir, in the Statement of Objects and Reasons it has been mentioned that profit in excess of 4 per cent. on the capital at charge goes into Special Reserve Fund. But what is the capital at charge? That has not been explained. That is a very technical phrase which admits of various interpretations, and in future nobody knows what will be its interpretation. Nowhere in the Bill that capital at charge has been clarified. But it is the practice in every Bill and Act to give definition of such technical phrases, but it has not been given here and no one knows what interpretation will be given in the future. As I have said, there is no clause in the Bill to that effect, and I would request the Hon'ble Minister to point out the clause which binds down the company not to pay more than 4 per cent. as dividend. I have on the contrary shown that the money set apart for shareholders account will entitle the company to pay 6 per cent. to 9 per cent. as dividend. Then in making the agreement the case of labour has been altogether ignored. Does the Government know that this company pay the least to its employees? What is the sense in fixing a dividend, in fixing a price when you have not taken into consideration the existing wage structure, and when you do not know what the wage structure is going to be and should be? The company pays as dearness allowance to the clerical staff only 40 per cent. whereas any other big establishment has to pay cent per cent. as dearness allowance which comes up to Rs. 70 minimum per month. Does the Government know that this company is guilty of unfair treatment to its labour? I have never seen any other company doing that. There are many many Unions now existing in this company which wants to play one Union against another with a view to company which wants to play one Union against another with a view to protect its own interest and property. Did the Government take that into consideration when they tried to enter into an agreement with such a company? Does the Bill bring any benefit to us? We are paying more price and we have not the guarantee of 4 per cent. dividend. That is to say, the company will be able to pay more than 4 per cent. We are not sure what will be the value of the stock after 20 years. The Hon'ble Minister has set apart 80,000 pounds for renewals and replacements. I am sure if the company means it that amount will not be spent for renewals sure if the company means it, that amount will not be spent for renewals. There are so many things that might happen and it is against all systems of contract, all principles of contract, to bind oneself henceforth for 20 years without knowing what will be the value of shares, even what will be the value of the stock, and what will be the economic and political situation in the country then. Without knowing all these things it is really an Act which cannot be accepted by any sensible organisation to bind oneself for 20 years to come by such an agreement. I say, Sir, this is the final and the last kick of this Cabinet. It must go but before it goes out this agreement has been thrust upon us. I hear a rumour about the Oriental Gas Company that something is going to be done with regard to them, and that is being done in secrecy. Sir, I will repudiate it today and every day. If we come to power, we would treat it merely as a scrap of paper.

With these words, Sir, I oppose the Bill.

8j. CHARU CHANDRA BHANDARI : बाननीत न्त्रीकांत बरहास्य ;

The Hen'ble RAI HARENDRA NATH CHAUDHURI : দেবেলবাৰু যা বল্লেন সেটাই বংলাদ বলেন।

SL CHARU CHANDRA BHANDARI : त विव चांबारात्र कार्ट जावा शरवरह धरे विरावत बर्बा (व agreement चारह, विष चानि वरत निष्टे (व Trank Company) व ववन nationalise क्या इरव ना, ज्वुष प्रचारिक ठाँदे त, Agreement, त्वलांत्व क्या शरदाइ त्यां। ठिक वय मारे-- त्यारे वरहक् খাসল কৰা। এই Agreementএর ৰবো খাছে এবং এই বিলের সঙ্গে যে Statement of Object and Reasons তার নধ্যেও এই কথা পাই যে ইতিপ্রের্থ এই Tram Company (क न अंतिम कता इत नारे। যদিও ধরিদ করবার অধিকার কোন কোন Partyর ছিল যেখন—হাওড়া মিউনিসিপালিটি, বেহালা মিউনিসি-भागिति, Secretary of State for India--- व मुटेंगे कांबन एम्बान इरवर्ष ; अकी कांबन इरवर्ष এই যে প্রত্যেকেই পৃথক পৃথকভাবে যদি খরিদ করে তাহলে তাদের স্থবিধা হবে না। একটা সামান্য আংশ বিশেষ নিয়ে tram চালান যায় না। তাই তাদের সঙ্গে যে চ্জি ছিল সেই চ্জি জনুসারে যদি হিসাব ধর। হয় তাহলে যে টাকা দাঁড়ায়, তাতে যদি খরিদ করা হয় তাহলে সেটা prohibitive and uneconomic ছবে। এখন দেখা যাক ২০ বৎসরের জন্য দেশবাসীর হাত বাঁধবার পূর্বে এই দুইটা বাধা জ্ঞপসারণ করবার কোন স্থযোগ ছিল কি না। একটা স্থযোগ হরছে, যে পাঁচটা party ছিল, যাদের সঙ্গে পৃথক পৃথক চক্তি ছিল সেই partyগুলির স্থলাভিধিক্ত হয়ে Government হরেছে। এইটা আইনের হারাও করা যেত। ভার একটা বাধা হয় এই, য়ে চুক্তি ছিল companyর সঙ্গে, সেই চুক্তি অনুসারে যে টাকা হয় তা ভাতাত্ত বেশী। Governmentএর স্বীকৃত মতে লে চাকার পরিমাণ যা দাঁড়ার তা uneconomic; সেটা সকলেই জানেন। এই চুক্তি যখন হয়েছিল তখন ইংরাজ Government ছিল এবং ইংরাজের সঙ্গেই চুক্তি হয়েছিল এবং Governmentএর স্বীকৃতি অনুসারে যে চাকার পরিমাণ দাঁড়ায় তা prohibitive. যাদের একটু আইনের कान चार्क जिनि जातन त्य, त्मशातन यनि नूरेके। partys मरश कृष्टि दय এवः कृष्टि श्रंटक त्य केकान পतिनान मैं। का विक prohibitive इब वदः त bargain करत, जाहरन त bargainरक कि ৰলে ? সেটাকে বলে unconscionable bargain. তাহলে চুক্তি অনুসারে যে সমস্ত party ছিল তার স্থলাভিষিক্ত Government হয়েছে এবং Governmentএর চুক্তি অনুসারে যদি এই টাকার পরিমাণ য। দাঁড়ার তা यमि prohibitive इस जाहरन এই unconscionable bargainএর চুক্তিকে বদল করবার ক্ষমতা Governmentএর ছিল এবং Governmentএর তাই করা উচিত ছিল। যখন Government বেখানে দেখলেন যে, যে চুক্তি বেখানে করা হয়েছিল তখন এমন একটা টাকার পরিমাণ তাদের কাছ থেকে নেওয়া হমেছিল যাতে সে টাকার কখনই নেওয়া যায় না; তখন সে চুক্তি বদল করাই উঠিত ছিল এবং বদল করবার যোগ্য সে চুক্তি। এই দুইটা বাধা অপসারণ হয়ে গেলে Tram Company ধরিদ করতে আর কোন বাধা धीकरंड शांदर ना। (मों) धेरिष कहाबाह करना धांक २० वरमह—in a fast moving world; २० वरमह পরে অবস্থা কাব কি দাঁড়ায় তখন ২০ বংশরের জন্য কারো হাত বাঁধা ঠিক নয়।

প্রধান মন্ত্রী মহাশয় এবানে Bill এনেছেন—বে চুক্তি করেছেন—তার উপর আমি একটা কথা বল্ব যে চুক্তিটা তালতাবে ব্যে দেখবার জন্য যে যে material আয়াদের সায়নে আসা উচিত ছিল তা তিনি আয়াদের দেন নি। প্ৰথম কথা হচেছ এই যে জন্যান্য যেষন হাওড়া মিউনিসিপ্যালিটীর সঙ্গে যে চ্ঞ্জি ছিল, তাতে ৭ বংসর পর্যন্ত কোম্পানির যে average income এবং working expense, এই দুটোর মধ্যে বিয়োগ দিলে ৰা থাকে তার পঁচিশ গুণ হবে। সেখানে দেখা উচিত ছিল তাদের কতটা average income এবং expenditure হয়। দেখানে দেখা উচিত ছিল—নেটা ধরনে, ২৫ গুণ সত্যই একটা prohibitive দাম थवर uneconomic कि ना। कात्रन धरे हुक्किएक चांत्रारमत गर्फ पिएक शरद-धिहारक चांत्रारमत approve कत्रएक शरद । ক্তি কেন তা করব ? শুবু কি একটা statementর উপর যে দামটা prohibitive হচেছ, শুধু এই এই কথা ঘরাই কেউ তা বিবেচনা করতে পারেন—হতক্ষণ না আমরা সমন্ত material পাচিছ। (The Hon'ble Rai HARENDRA NATH CHAUDHURI: কেন, দেবেনবাৰুই ত material দিয়েছেন!) দেবেনবাৰু कि पिराहरून, बामि त्य नवस्क किछू बनुव ना। अखर्गरायके कि सम त्यांकोर बाबारमत समुराख दरव। विरामी ট্টাৰ কোম্পানির কৃছি থেকে এনে পেন। তাদের average income এবং working expenses কোন কোন ৰংসৱে কন্ত হয়। সেই basis সেটা ২৫ গুণ বা দশ গুণ করা হবে সেটা পারে বিবেচ্য। এ যতক্ষণ আমর। না পাই, ততক্ষণ এই চুক্তি এবং চুক্তির হার। যুক্তির অবতারণার বে বিল সেটা ছুড়ে ফেলে দেবার মত ম্মিনিম। বডক্ষণ সেটা না আলে, উভক্ষণ এ সম্বন্ধে আমনা কিছু ক্রতে পারি না। সেই জনাই আমি বলছি পাঠিকে দিন এই বিলটা জনবত সংগ্ৰহের জন্য। বিভিন্ন প্রতিষ্ঠান, বিভিন্ন সংবাদপত্র ও জনসাধারণ <mark>স্থাহে—ভা</mark>রা এটাকে

শিক্ষাৰ বিবেচনা কৰ্বে। এর পুৰ্বে ও জিনিৰ হতে পাৰে আ। এত খুইকাচুনি জানা এ কাজ চন্তে পাৰে না।
পুৰান মন্ত্ৰী নহাপন নিজেই ক্ষেত্ৰেন ক্ৰাইনিটানেটে নিনিভভাবে ক্ষেত্ৰেন, তাঁনা সম জিনিৰ বিবেচনা ক্ৰেছেন
কিনা জানি না।

ৰিতীয় কথা হচেছ, পুধান মন্ত্ৰী নহাণৰ যে তাৰ বক্তাৰ বলেছেন, যদি আনৰা এখনি এটা কিনি, তবে সেই টাকাটা blocked up হয়ে বাবে এবং সেটা করা উচিত নয়। এটা বিবেচনা করে দেখতে হবে এটা কিনে আৰৱা বেশী income করতে পারব বা ট্রাম ক্রেট্টিটে, ডাল করে চালাতে পারব, যে material হারা সেই materialই আনাদের সামনে দেখছি না। আনরা এটা কিন্তে কিনবার যে দাম ২০ বংসর পরে ধরা হয়েছে তার ছলে যদি আজই কেনা যার, তাহলে তার reasonable লাম কি হয়। তেনন কোন লাম নির্ণবের material আনাদের সামনে নেই। (The Hon'ble Rai HABENDRA NATH CHAUDHURI: ২৫ গুণ ছেতে দেবেন কেন ?)

এই जना ছেড়ে দেব ২৫ গুণ করলে prohibitive হয়ে যাবে। যে কোন স্থানে হোক এমন কি ৰদি একজনের সঙ্গে জমি বিক্রয়ের চুক্তি করি এবং যদি সেটা prohibitive হয়, তবে সে চুক্তি চুক্তিই নম। (The Hon'ble Rai HARENDRA NATH CHAUDHURI: নিশ্চমই) আপনিও বলছেন, रन हिक्क हिक्क ने नग्र। विजीयक: जानता यनि बना शतरक होहै, कि कांत्र नाम हर्द, अंत्र झना रच material আৰাদের কাছে আসা উচিত, তা কই ? কোম্পানির যে সমস্ত atock আছে, জিনিঘপত্র আছে, তা কডদিনের কেনা এবং তার দান আছে কি হতে পারে, বিশ বৎসর পরে যা হবে সে সম্বন্ধে কোন explanatory note নেই। প্রধান মন্ত্রীর বন্ধতাম তা কিছ নাই। কত বছরে কত খরচ হয়েছিল বা কত বছরে কত income হয়ে ছিল, তা জানাচেছন না। এবং তা জাড়া last yeard gross income ও working expense কত হমেছিল ? তার মধ্যে stock machinery এবং আর যে যা জিনিঘপত্র আছে, তা কতটা ভাল অবস্থায় प्यारक, क्छो बननारछ श्रद ? এको sum ৮० शकांत्र शांडेश द्वरश्रक्न for repair, replacement, तिक्री ५० लक्कर वा इरव ना त्कन, এक लक्कर वा इरव ना त्कन वा ६० शाक्षांतर वा इरछ शाहरव ना त्कन ভার কারণ কি। কেন ৮০ হাজার পাউও রেখেছেন? সেটা বাড়ান যেতে পারে কি না। প্রতি বৎসর renewal কি হতে পারে। বিশ বছর পবে যা আমরা কিনব, তা একেবারে রন্ধি মা'ল হতে পারে। ২০ বছরের খন্য ৮০ হাখার পাউও করে পুতি বংসরে for renewal and replacement ধরা হয়েছে; কিন্তু, Sir, কোলানি গত ৫ বা ৭ বংসরের মধ্যে averaged কত টাকা করে এই renewal ও replacements जना नाम करतरहन ना करतन नि এत कान record जामारमत कारह नारे। य fact जामारमत काष्ट्र अप्तरह, जा (भरक कान motive impute ना करते infer कहा यात्र य अत्र मर्था किছू গোপন করা হয়েছে--- আমাদের কাছ থেকে facts suppress করা হয়েছে। বোধ হয় গভর্ণনেণ্ট কিছু জ্বানেন না-না জেনেই চুক্তি করেছেন কিছা যারা এ সম্পর্কে আইন পুণয়ন করছেন, তারা সবই জেনেছেন; আর আমাদের ৰম্পুরি দিতে বলছেন অন্ধভাবে। গভর্ণমেণ্ট যা করছেন, ভালই করছেন এ বিষয়ে অন্য কিছ বলবার নেই। এর ৰধ্যে আমি আর কিছু দেখতে পারছি না যদিও আমি পাণপণে চেটা করেছি বয়তে কি করে এই agreementটা ৰীকার করা যায়। কিন্তু একমাত্র অন্ধভাবে ছাড়া তা করবার উপায় নাই।

তারপরের কথাটা হয়েছে যে purchase price কেন ধরা হয়েছে ৩৭ লক্ষ পাউও। এটাই বা ৪০ লক্ষ্ পাউও বা ৫০ লক্ষ বা ১৫ লক্ষ নয় কেন? হঠাৎ ৩৭ লক্ষ পাউও হল কেন তার কোন basis নেই। এই জন্ম আমি কোন উদ্দেশ্য আরোপ করে নয় যে fact গোপন করা হয়েছে suppress করা হয়েছে। And this is fact. (The Hon'ble Rai Harendra Nath Chaudhuri: জন্ততা বশত:।)

অক্ততাৰণত: যদি চুক্তি কৰে থাকেন, তবে তা কোনহতেই গ্ৰাহ্য নৱ। কিন্তু আমি বলছি এতগুলি টাকা ২০ বংসর পরে যে তাদের দিবেন, তার কোনই কারণ নেই। এই সমন্ত কারণে আমার মনে হর যে এই বিদ্যালয়ক সংপ্রাহ্ম অন্যাই বাক বা select করিনিডেই যাক, ভানরকক না দেখে পাণ করা উচিত নর। এই সমন্ত জিনিঘ যদি না আদে কোম্পানির আমব্যরের হিসাব, কি stock কি debenture কতগুলিই বা share তাল কত মূলাই বা হতে পারে, তা ছাতা কত divident দিয়েছে বা কোম্পানির গত দণ বংসরে average earning কত হরেছে তাহলে কি করে জিনিঘটা বিচার করা বার ? ২০ বংসর 4 per cent. dividend কেন্দ্রা হবে বা 3 per cent. বা 2 per cent. বেগুরা হবে তাও হিনাব করতে হবে; 4 per

cent. দেব কেন, কেন 1 per cent. দেব না (The Hon'ble BRUTATI MAZUMDAB: কোটেই বেব কেন?) হাঁ, নোটেই বা দেব কেন এটা বিচাৰ কৰা বান, বদি বিশ্বৈজ্ঞ-and material আননা না পাই।

I am a man of average intellect—বোক্ত লোক। দেশের বেশীর ভাগ লোকই আনাবৈদ্য় বতন! ভাষা কি করে বুরুবে। অভভাবে নেওরা ছাড়া। অভএব এই সমন্ত Agreement দেখে ববে হব কর মধ্যে hide and seek রয়েছে। সেটা তারা প্রকাশ ককন লোকের সন্দেহ দূর করন। কোশানির যেটি কভ share আছে তার মধ্যে কত বিদেশী কত দেশী share আছে, সমন্ত ভিনিঘ বুবে দেখতে হবে এবং সেটা বুরুবার বভ material ছাড়া এই Bill আভাকে এবানে considered হতে পারে না। এবন একটা শক্ত ব ক্রতে পারে না তাতে একমান্র হবু চন্দ্র রাজার গবু চন্দ্র মন্ত্রীর মত হাত নেড়ে হয় হাত নাড়তে হর, নয়ত এবানেই শেঘ করতে হয়।

Sj. KANAI LAL DE: Sir, তিন যণ্টা ধরে এখানে বলে আছি, আমালের House আর আর কতক্ষপ চলবে? এখন adjourn হওয়া উচিত।

The Hon'ble Dr. BIDHAN CHANDRA ROY: No no.

8j. SIBNATH BANERJEE: স্পীকার মহাশম, আজকে জার কডকণ চলবে সেটা জানতে পাবলে আমার পকে স্থবিধা হয়।

Mr. SPEAKER: আপনি আরম্ভ করুন।

SJ. SIBNATH BANERJEE: ৩া টায় আরম্ভ হয়েছে আর কতকণ চলবে?

Mr. SPEAKER: সে পুশ রেখে, আপনি আরম্ভ করুন।

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, মাননীয় প্রধান মন্ত্রী বলেছেন তিনি Tram Companyৰ সত্ত্বে এই যে চক্তি করেছেন এটা best under the circumstances. এই বে উজি করেছেন, best under the circumstances, এটাতে আমি তার সঙ্গে এক মত। এই Houseএর वा circumstances তাতে এর চেয়ে ভালো আলা করা যায় না। আমাদের মাননীয় প্রধান মন্ত্রী মহাশর capitalismএর একজন নাধক। তিনি জানেন কারা কারা চোধু বুজে হাত তুলবে। সেইটে ধুব তালো जारनन कारबंदे बरनार्छन best under the circumstances (laughter). किंद अहा best under the circumstances in his own opinion—তাঁর নিজের দৃষ্টভঙ্গি অনুসারে, তাঁর জান বৃদ্ধি ও বিবেচনা অনুসারে নি"চমই এটা best किन्न जना একটা मृष्टिजिक जाएक यात्रा मत्न करत এটা bestত नम्रदे worst. त्कन এটা worst সেই কথাই বলব। Best তো নয়, worst। কেন worst বলুছি সে সম্বন্ধে দু'একটি কথা बनव। পुथरबरे आपि भुधान मञ्जीत मृष्टि आकर्षभ कर्जा । তিনি Constitution এর আশ্ম নিয়েছেন। সেই Constitution এ যেখানে compensation দেওয়ার কথা আছে সেই অংশটা প্রধান মন্ত্রীর ধুব ভাল <sup>লেগেছ</sup>ে, কিন্তু হরিপদবাবু যেখানে শ্মিকদের পরিশ্নে অঞ্জিত অর্থে পূর্ণ অধিকারের কথা বলছিলেন সেই অংশটা তত তাল লাগেনি। Constitution কংগ্রেসের বড় বড় পণ্ডিতের। তৈরী করেছেন। এই Constitution আনর। অনেক জায়গার স্বীকার করি না, এবং অনেক আপত্তিও রয়েছে। কিন্তু ডা: রায়ের মত অনেকেই प्पाट्टन यात्रा capitalism, शुक्रिवाएन नमर्थक छाएनत श्रुव छान ल्लाराह्। Constitution वनी पिन धीकरव ना। এই Constitutionএরও change कत्रा गांग, रामन मू' अकृष्टि व्यिनिस्पत्र change इस्तरक्षु। ष्यिगाती পुथा वित्नान कदार याद ठाँदा এकहा पाटेन करतिष्ठतान वर्ते, किन्न Supreme Court ও High Courtes মন্তব্যের পরে তাতেও সামান্য change করেছেন। এই Constitution এর আওতায় আর্থ ৰীরা আছেন তাঁরাও change করতে বাধ্য হতে পারেন। এই Constitutionএর উপর কি আছা ভা: alর बार्चन जिनिहे ब्यारनन। এই Constitution এর উপর বেশী ভরদা রাধা ঠিক হবে না। अभिगाबता এই Constitutionএর আশ্র নিমেছিলেন, কিন্ত কালের গ্রোতে তেসে গিয়েছেন। অন্যান্য রাষ্ট্রেও জাতীরকরণ হরে গিরেছে, জানাদের দেশেও Parliamentএ সেই Constitution পরিবর্ত্তন করতে হবে। স্থতনাং তার উপর নির্ভর করা সঙ্গত হবেনা। আজ্মকাল ডা: রার চোধে কম দেবছেন। এই বরে যে আলো আছে তাতে তাঁৰ হয় না, আৰু একটা আলো তাঁৰ গৰকাৰ হয়। তাঁৰ ৰদি সেই দৃষ্টপঞ্চি থাকত এবং দুনিয়াৰ দিকে ভাল करत खिलाब त्वराज्य छर्च वहे Constitutionवत्र केचन वछ त्वान निर्द्धन ना। Nationalisation

क्यांहिटि छात्र वर्ष (परक त्वत हत मा, socialisation यपि एएए छाराम छिनि क्यांछिक्रत छेहेएछन अप: heartfail করাও অসম্ভব ছিল ক্ষাৰ্প Municipalisation, socialisation dর পরকার নাই, আবি nationalisationএর কথা বলছিলাব, তাতেই তিনি বল্ছেন hackneyed expression, municipalisation কৰাটা বাৰভাৰাৰ কথা নৱ; তিনি তো এক সময় Calcutta Municipalitys কৰ্ণৰাৰ ছিলেন! चनाना (परन Tramway बरनन, Electricity बरनन, ইত্যাদি नवर बाह्रीबक्बन रख बाराइ: किছ निपरक चार्यनात्मत्र त्कान नष्टि नारे। এই Constitution शतानवात्री compensation निष्ठ हत्व. ना नित्न हनत्व ना এবং কিন্তাৰে বিদেশী নিতে হবে কেবল দেদিকে আপনাদের দৃষ্টি গিয়েছে। এই দাবী nationalisationএর শাৰী আজকের নয়। আমি জ্বোরের সঙ্গে বলতে পারি ১৯২৮ সালে বর্ধন Simon Commission কলকাতার এনেছিলেন তথন Tramway Companyর শ্যিকদের strike হরতাল করতে বলা হয়েছিল এবং শ্যিকেরা তাতে যোগ দিয়েছিল এবং আমিও ছিলাম। তারপরে ৫৪ জনকে ডিসমিস করা হর এবং নেডালী স্থভাষচক্র অনেক চেষ্টা করে তাদের প্ননিযক্ত করতে পারেন নি। সেই সময়ই আমরা দাবী করেছিলার Tramway Company nationalise করতে হবে। ২২ বংশর হবে গিরেছে, কিন্তু nationalisation তো हमरे ना, ता कथा छेठलाও पाषा अर्थावाही तरप्रहा Dr. Royas तारी जान नार्श ना, छात्र कारह तारी hackneved expression. E. I. R., B. N. R. কোম্পানির বত বড় বড় Company বদি nationalise করা হতে পারে তবে Tram Company nationalise করা এবন কি বড কথা। চীন ও জন্যান্য म्मानिक स्था नव. यह जावजवर्णव मरथा, यह बांश्नारमराज मरथाय, य रवनश्रय नाहेन बरबरक छ। nationalised হরেছে। ডা: রামের এটা অক্ষানা কিছ নয়, তাঁর চোখের সামনেই এটা হয়ে যাচেছ তিনি পছল করুন ভার লাই ৰুক্তন। সমন্ত দেশব্যাপী যে চেউ এসেছে ভাতে তিনিও ভেসে যাবেন, তিনি ঠেকাতে পারবেন না। আমি ৰলতে চাই তিনি তাঁর দরদার্ট হারিয়ে ফেলছেন। আমি তাঁর চোখের দার্ট কথা বলছি না. অন্য দার্টীর কথা বলছি। তিনি যা বনে করছেন গেটা ৫০ বংগর আগেকার জিনিম। তাঁর অভিপায় জনসারে গব কিছু হবে এটা তাঁর ৰারাম্বক ভুল। তাঁর অভীপিসত জিনিম এখানে পাস হয়ে যাবে জানি, আবার ''অরণ্যে রোদন করা ছাড়া আর ্ কিছই হবে না''। কিন্তু আমি তাঁকে সারণ করিয়ে দিতে চাই একদিন এই ভলের মান্তল দিতে হবে এবং আমাদের ভবিষ্যুৎ বংশধরের। এজন্য আমাদের গালাগালি দেবে। বটিশ আমলেও আমরা এই দাবী বরাবর আনিয়ে এসেছি बनः नरनिष्ठ त्य. এই contract जात renew कता ना द्या। जात्रकांत्र पिरनेत्र Congress Committeeन resolution এ এইসৰ পাওনা বেতে পারে। ১৯২৮ সালে নেতাজী স্থভাষ্চক্র বর্ষন বাংলাদেশের কংগেস-নেতা ছিলেন তথন তিনি এই Tram Company nationalise करवार हो। करविद्यालन।

পুধান মন্ত্ৰী একটা যুক্তি দিয়েছেন যে, ৫টা—টালিগঞ্জ, নোনাপুকুর, হাওড়া ইত্যাদি—পুথকভাবে চালান যায় না। সেটা সত্য কথা, আমি মানি। তাহ'লে পৃথক পৃথক workshopএর দরকার। সেজন্য সেটা সম্ভব নয়, এ বিষয়ে আমি প্রধান মন্ত্ৰীর সঙ্গে একবত।

এটা জানা কথা বে Tram Company শুনিকদের সঙ্গে তাল ব্যবহার করে না। একদিন Dr. Roy এই কোল্যানির শুনিকদের strike সমর্থন করে বলেছিলেন যে, এই Company under কাল করা উচিত নর। কিছ আজ তিনি সব তুলে গিয়েছেন। তিনি আজকে পৃথক পৃথক জলার কাল্যানির ইত্যাদি কথা ব'লে এড়িয়ে যাচেছন, কিছু practical difficulties আমিও তাল বুরি। ডা: রায়ের সঙ্গে বোগাবোগে আমাকে কাল করতে হয়েছিল। তাঁকে আমরা সমর্থন করেছিলাম, এবং তিনি কৃত্যান্ম হয়েছিলেন। আমি আশা করেছিলাম তাঁর দৃষ্টতিদির কিছু পরিবর্তন হবে। (The Hon'ble Prafulla Chandra প্রচান হাঁগা, কিছুটা progressive হয়েছেন তিনি।) বিসরহাট ব্যাপারে তাঁর যে আমার দেখেছিলার এই Companyর ক্ষেত্রে তার বিপরীত দেখ্ছি। এটা তাঁর জীবনে দেবাং ঘটে গিয়েছে, এটাকে আমরা তাঁর জীবনের একরকম ব্যভিচারই (laughter) বল্তে পারি। পাকে চক্রে পড়ে সেটা করেছেন। কিছু সুষ্টতিদির কোন পরিবর্তন হমনি। এই পুগতিনুলক কাল্যটা তিনি তুল ক'রে ক'রে কেলেছেন।

আনারা আপা করেছিলার বারাসত-বসিরহাট ব্যাপারে তিনি যে ব্যবস্থাবদ্যন করেছিলেন এক্ষেত্রেও তাই করবেন। পেশের লোক চরম sacrificodর মধ্য দিয়ে এই companyes nationalise করবেই। বেশী Company সময়ে ধেশের নোক যে ব্যবস্থাবদ্যন করেছে এই Tram Companys বেলার ভার ব্যক্তিক্রম হবে না। জাঁরা জনেক কিছু লিখেছেন—এটা করতে হরে ডুট্ড ডুটা করতে হবে। Calcuttaর Tram রখন বহু হবে নার তখন জনসাধারপের চাপে পড়ে ভাড়াডাড়ি একটা ব্যবহা করতে হয়। স্যার, সাডটা বেজে গিরেছে জার বলা বাচেছ না। (The Hon'ble Dr. Bidhan Chandra Roy: খুব জ্ঞাল হচেছ, বলে নান না) আনার এখনও আরো এক বণ্টা সময় দরকার। আজকে আর বন্তে পারছি না। বদি আগে খোক notice দিডেন ভাহনে whole night থাকভাম। স্নৃতরাং কালকে আবার বলা বাবে, আজকে আর বলা বাচেছ না।

- Mr. SPEAKER: Mr. Banerjee, the position is this: I have got a list of speakers on this subject. Naturally it would take a long time to go on with a view to finish the Bill. That is the reason why I want to finish as much as possible, so that we can conclude as early as possible.
  - 8j. SIBNATH BANERJEE: This is the last speech, I take it.
  - Mr. SPEAKER: That I admit.
- Sj. SIBNATH BANERJEE: Sir, I shall be very much obliged if you kindly allow me to finish my speech tomorrow. আপনার কাছে আদি আব্দেন করছি আজকের মতন শেষ করে দিন। কালকে আবার বলবো। আজকেত East Bengal ও Mohon Bagandর খেলাত শেখতে দিলেন না। আজকে East Bengal জিতেছে তাই বাড়ী গিয়ে আনল করতে হবে। (Laughter).
- Mr. SPEAKER: Well, Mr. Banerjee wants time and so passionately that it will be cruel to force him to finish his speech tonight. I think I should adjourn the House till 3 p.m. tomorrow.

### Adjournment.

The House was accordingly adjourned at 7-5 p.m. till 3 p.m. on Wednesday, the 19th September, 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 19th September, 1951, at 3 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, II Hon'ble Ministers and 65 members.

### STARRED QUESTION

(to which oral answer was given)

### Held over Supplementaries on Starred Question No. 10

8J. ANNADA PROSAD GHOUDHURY: মাননীর মহী মহাপর, তাঁর উভবে (b) paragrapha বলেছেন, "The proposals were directly received by the Director of Public Instruction". কিছু আমরা জানি যে শিকা বিভাগে schoolaর যেটা recurring or capital grant সেটা নেওয়ার যে proposal শেওয়া হয় তা Inspectorএয় কাছে খেকে ভদারক করে এবং তাঁর কাছ খেকে অনুযোদন পেয়ে তারপর সেখানে বিচার করা হয়। কিছু এখানে Director of Public Instructionএয় কাছে খেকে সোজায়িজ proposal এসেছিল এবং সরকার তা মঞুর করেছেন এবং খলেছেন under the rules obtaining at the time—এই বিশেষ ক্ষেত্রে এই বিশেষ বিষয়ে ruleটা ছিল, না সাধারণ ruleই ছিল ?

The Hon'bis NIHARENDU DUTT-MAZUMDAR: Is it a supplementary question or is it a statement that he is making?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: পুণনত: এটা school নয়। ষিতীয়ত: সাধারণভাবে যে নিয়ন আছে সেই নিয়ন অনুসারে শিকা বিভাগের কাছে আবেদন করা চলত।

8j. ANNADA PROSAD CHOUDHURY: Supplementary question, Sir. এই (f) paragraph4 বলা হরেছে এই Institutionকে যে সমন্ত grant দেওলা হরেছে তা পুৰবে founder Secretaryকে either from Calcutta or from Alipore Treasury থেকে দেওলা হরেছিল এবং তালপন February to March, 1948, and February to Octobor, 1949a Jhargraman S. D. O.র নারকং চাকা দেওলা হরেছিল। কিছ কি কারবে ১৯৫০-৫১ বালে Jhargraman S. D. O.কে না দিরে আবার সেই founder Secretaryকে চাকা কেওলা হরেছিল।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: ১৯৪৯ সালের করেক নালে এই Subdivisional Officerএর বারকং নিকা দেওবা হবেছিল। তার কারণ founder Secretary জানিরেছিলেন যে তিনি ঐটা পরিচালনা করতে পারছেন না, তার পরিবারিক কারণে অর্থাৎ খ্রী বিরোগ হওরার জন্য। সেই জন্যই Subdivisonal Officerকে ঐ grant draw করতে দেওবা হরেছিল।

Sj. ANNADA PROSAD CHOUDHURY: Paragraph (m)এ বলা হবেছে, "it has been reported that the Institution at Jhargram has been closed down and the properties notified for sale". সেবানে যদি এই institution বছ করে দেওবা হবে থাকে এবং ভাষণার তার সবাভ সম্পতি notice দিবে বিক্রম করে দেওবা হব ভাহনে গতর্পবেণ্ট বে টাকা থাবী, করেছেল, ৮,৭৯১, টাকা, সেই টাকা আগাধের কি পথ গওপবেণ্টের আছে?

The Hen'ble Rai HARENDRA NATH CHAUDHURI: Society দশ্দতি বিজয় ক্রনেও গৈটা registered societyর সমন্তি; কাজেই গভগ্নেপ্টের পাওনা টাকা বা grant আলারের কোন বাবা হবে বলে মনে হব না!

8j. ANNADA PROSAD CHOUDHURY: Society তাঁদের সম্পত্তি বিক্রম, করে বিদি সেই টাকা জ্বনা বাবদ বন্ধাচ করে কেলে, তাহকে গঙর্গবেণ্ট তার পাবী থেকে বন্ধিত হতে পারেন স্থাতরাং দে বিষয় ,গঙর্গবেণ্ট কি বিবেচনা করেছেন ?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: পুধনেই আপনাকে পুশোৱ (i) to (k) উত্তরে বলা হরেছে "The accounts of the Bodhana Samity are now being examined in detail by a firm of public auditors and their reports are awaited". Auditorus report পেলে সোনায়িটির লায়িত্ব ও Governmentus কত চাকা পাওনা তা সাব্যক্ত হবে। স্বতরাং তা সাব্যক্ত না হওরা পর্যক্ত Societyর কত চাকা দেনা বা সরকারের কত চাকা পাওনা সেটা আনতে না পারবে নাইক নাবী করতে পারা বাতের না। কারেছ কা। কারেছ কটাকা দেনা পাওনা সেটা পাব্যক্ত না হওরার পূর্বে আবরা তাবের কি notice বেব বা তাবের সম্পত্তি কি করে attach করবো। কারণ সম্পত্তি attach করতে গোলে auit করে তবে করতে হবে, নতুবা আইন অনুসারে করা বাব না।

8j. ANNADA PROSAD CHOUDHURY: निका বিভাগের Deputy Secretary যখন একটা cheque audit করে বলেন ৮,৭৯১ টাকা বে-হিসাবী ধরচ করেছেন এবং ঐ টাকা গভণবেশ্টের কাছে কেরৎ দেওয়। উচিত। তারপরেও যদি সে এই সম্পত্তি বিক্রম করে দেয়, তাহলে সেই টাকা আদার হবে কি করে ?

The Hon'ble NIHARENDU DUTT-MAZUMDAR: On a point of order, Sir. What the hon'ble member is saying is nowhere in the question or in the answers nor does it arise out of the question or the answers. Supplementary questions are put which should arise out of the main question or the answers given.

- Mr. SPEAKER: Mr. Choudhury you are presuming something which is not there, you must ask a question and get an answer before presuming something.
- 8j. ANNADA PROSAD CHOUDHURY: Something is stated in the reply and unless I refer to that reply how can I put this supplementary questions.

Mr. SPEAKER: Which part of the replies you are referring to ?

Sj. ANNADA PROSAD CHOUDHURY: এখানে বলা হরেছে it is being audited এবং a check-audit has been made এবং আরও বলা হরেছে বে and it has been referred to that the accounts of the Bodhana Samity are being examined in detail by a firm of auditors ভাহলে আৰি জিজাৰা করতে পারি বে—

Mr. SPEAKER: You are going into details that do not appear in the answers.

- **8].** ANNADA PROSAD CHOUDHURY: The Hon'ble Minister just referred to the answer (i) to (k). In that answer it has been stated that there has already been a test check—
- Mr. SPEAKER: But this answer (i) to (k) does not mention what is contained in the test check whereas you are going on mentioning a figure of

- Rs. 8,000 and odd and so oh which you seem to be reading from some audit report that you possess. Without mentioning any such figure and without presuming anything that is not theme in the answer you first of all put a question and elicit the answer.
- 8j. ANNADA PROSAD CHOUDHURY: All right, Sir, in answers (i) to (k)তে বলা হরেছে বে Government একটা test check করেছেন ১৯৪৪ থেকে ১৯৪৮ সাল পর্যায় এবং জানা গিরেছে যে বে-হিসাবী ধরচ করার জন্য গভর্ণযেশেন্ট তাদের নিকট ৮,৭৯১১ টাকা দাবী করেছেন—এটা কি সতা হ

The Hon'ble Rai HARENDRA NATH CHAUDHURI: ঠিক বলতে পারি না। Notice চাই।

8j. ANNADA PROSAD CHOUDHURY: যদি এটা সত্যি হয় যে সম্পত্তি বিক্রম করবার notice দেওয়ার পর, সেই সম্পত্তি বিক্রম করে দিয়ে Society সেই টাকা অন্য বাবদে বরচ করে দের তাহনে গভর্গবেণ্টের পক্ষে সেই টাকা আলায় করবার কি পথ আছে ?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: আপনার এটা একটা hypothetical question. কারণ আপনি "যদি" দিয়ে আরম্ভ করেছেন।

### **UNSTARRED OUESTIONS**

(answers to which were laid on the table)

## Complaints against the dealer in rationed commodities of Jagaldwip in Indus police-station, Bankura

- 3. 8j. KANAI LAL DE: (a) Will the Hon'ble Minister in charge of the Food Department be pleased to state whether Government has received any complaint against the dealer in rationed commodities such as sugar, atta, flour, etc., of Jagaldwip in Indus police-station (district Bankura)?
- (b) If the answer to (a) be in the affirmative, will the Hon'ble Minister be pleased to state—
  - (i) what action, if any, has been taken by the Government on such complaints; and
  - (ii) whether the Government consider the desirability of holding an enquiry into the dealings of the said dealer?

### MINISTER in charge of the FOOD DEPARTMENT (the Hon'ble Prafulla Chandra 8en): (a) Yes.

- (b)(i) The Subdivisional Controller of Food, Vishnupur, and the Chief Inspector, Vishnupur, enquired into the matter and the dealership was cancelled on the basis of their reports.
  - (ii) Does not arise.

### Transfer of District Officers of Bankura

- 4. 8j. KANAI LAL DE: Will the Hon'ble Minister in charge of the Department be pleased to state—
  - (ক) ইহা কি সত্য বে, গত ছুই বৎসরে বাঁকুড়ার ৬ জন আরক্ষার্ক (Superintendent of Police) ও ৪ জন জেলাশাসক (District Magistrate) বন্ধি হইরাছিল :
  - (খ) সভা হইলে, এত ঘন ঘন বদলির কারণ কি:
  - (ग) धहेन्न चन चन वमनित कना भागनकार्यंत्र कमूर्विश हत्र कि ना :
  - (খ) এইরূপ ঘন ঘন বদ্লির জন্য কড টাকা শ্রমণবার হইরা গিয়াছে: এবং
  - (৬) অপরিহার কারণ ব্যতীত ঘন ঘন বদলির নীতি পরিবছ ন করা বালনীর কি মা ?

MINISTER in charge of the HOME DEPARTMENT (the Hon/ble Dr. Bidhan Chandra Roy): (ক) গত হুই বৎশরে ৩ জুন আরক্ষাধ্যক ও ৪ জুন জেলাশ্যক বাহুড়ার বদলি হইরাছেন।

- (খ) এবং (গ) ১৫ই আগষ্ট, ১৯৪৭ এর পুর্ব্ধে যে দকল বদলি হইয়াছে তাহার জন্য এই সরকার নামী নহেন। ঐ তারিখের পর ২ জন জেলাশাসককে ও ১ জন আরক্ষাধ্যক্ষকে বদলি করা হইয়াছে। শাসনকার্থের স্থবিধার জন্য কোনও কোনও সময়ে অল্লদিনের জন্য পদ্বিশেষে কম্চারী বদলি করিতে হয়।
  - (ব) এ সম্বন্ধে সঠিক তথ্য সহজ্পলভ্য নহে।
- (৩) এই প্রশ্ন উঠে না, কারণ অপরিহার্ধ কারণ বাতীত কর্ম চারী বদলি না করার নীভিই সরকার বরাবর অনুসরণ করিয়া আসিভেছেন ও করিবেন।

### Distribution of building grant to educational institutions in Bankura district

- 5. 8j. KANAI LAL DE: Will the Hon'ble Minister in charge of the Education Department be pleased to state—
  - (ক) বাকুড়া জেলার ১৯৪৮/৪৯/৫০ সালে কোন কোন কোন educational institutionকে স্থানিমাণ বাবদ কভ টাকা দেওয়া হইয়াছে;
  - (ध) त्कान् cकान् institution डेङ नाशासात सना चारवमन कतिवाहः ; এवः
  - (গ) কি নীতি অনুসারে সাহায্য দেওয়া হইয়াছে ?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): (क) এবং (ব) ডালিক। নীচে দেওয়া হইল।

পে) জেলা-পরিদর্শক প্রথমে স্থানীর প্ররোজনীয়তা আছে রিপোট করিলে কুলের জ্যির 
াকা বছ আছে কি না দেখা হর। বাড়ীর নরা ও প্রাক্কলন বাছ ও বাছাবিভাগের বারা 
গরীকা করান হর। পরীকার কল সভোক্ষনক হইলে এবং বাজেটের টাকা বরাজ থাকিলে 
মাট ধরচের এক-ফুডীরাংশ এবং বিশেব ক্ষেত্রে অর্ছেক অংশ সরকারী সাহাব্য দেওরা ছয়। 
বিক্তা জেলার বে বে কুলকে সাহাব্য দেওরা হছরাছে ভাষা এই নীতি অন্নারেই হইরাছে। 
চলেজের সাহাব্য-প্রার্থনা সম্বন্ধে শিক্ষাধিকর্তা ক্ষরপ পছতি অন্নারে বিবেচনা করেন ও তাহার 
নির্দেশ বা মন্তব্য অন্থানরে বিহিত আদেশ দেওরা হয়।

Statements referred to in reply to clauses (4) and (4) of unstarred question No.5

(本)

Last of Institutions that received Building Grant during the years 1948, 1949 and 1950

Seri No		Estimate.	Total amount sanctioned.	Amount paid.			_
110				1948.	1949.	1950.	Due.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
ı.	Ramananda College	2,08,692	69,564	••	40,000	29,564	Nil
2,	R. K. Mission Sarada Vidyapith.	5,002	1,667	••	••	833	834
8.	Maliara High English School.	46,496	10,000	5,000	•	5,000	Nil
4.	Amarkanan Desh- bandhu Institution.	10,000	7,500	7,500	••	••	Nil
5.	Ditto	10,06,042	35 347			17,673	17,674
6.	Tiluri High English School.	9,679	3,227	1,613	••	••	1,614
7.	Anderthole Middle English School.	1,701	1,134	567	••	567	Nil
8.	Kankradara Middle English School,	19,785	9,892	3,685	1,000	5,207	Nil
9.	Sarenga Mahatmaji Smriti Vidyapith.	9,999	8,999	8,999	••	••	Nil
10.	Ditto	17,817	13,363	••		6,681	6,682
11.	Ranebandh Middle English School.	4,229	3,229	••	1,614	••	1,615
12.	Ditto	9,337	6,224			3,112	3,112
		Total	1,70,146	27,364	42,614	68,637	31,531

N.B.—Nos. 7-12 are Scheduled Caste schools, hence these were treated as special ones and Government grants in excess of one-third of the estimated cost were paid.

(4)

# NAMES OF SCHOOLS IN THE DISTRICT OF BANKURA WHICH SUBMITTED APPLICATIONS FOR BUILDING GRANT.

- 1. R. K. Mission Sarada Vidyamandir, Joyrambati.
- 2. Maliara High English School.
- 3. Amarkanan Deshbandhu Institution.
- 4. Tiluri High English School.
- 5. Anderthole Middle English School.

No. 4.—The school was badly damaged by storm.

- 6. Kankradara Middle English School.
- 7. Sarenga Mahatmaji Smriti Vidyapith.
- 8. Ranebandh Middle English School.
- 9. Jorada New Model High English School.
- 10. Patrasayar Bamira G.D. Institution.
- 11. Amdahi Middle English School.
- 12. Sonamukhi High English School.
- 13. Harmosra High English School.
- 14. R. K. Mission Middle English School, Ramharipur.
- 15. Sashi Bhusan Raha Institution.
- 16. Mejea High School.
- 17. Kotalpur High English School.
- 18. Baliatore High English School.
- 19. Christian Collegiate School.
- 20. Gangoria Middle English School.
- 21. Gandhi Vidyalaya.
- 22. Vishnupur Music College.
- 23. Bankura Christian College.
- 24. Bisnupur Ramananda College.

### STARRED QUESTION

### (to which oral answer was given)

### Shifting of Raina police-station to Aherbelma in Burdwan district

- •11. Sj. PRAMATHA NATH BANDYOPADHYAY: (a) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state if it is a fact that Raina thana in the Burdwan district is going to be shifted to Aherbelma (now named as Shyamsundarpur) only three miles off from Raina?
- (b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state—
  - (i) whether Raina is an important place having within it post office, sub-registry office and other Government offices;
  - (ii) whether Raina than has got a compound and buildings of its own;
  - (iii) whether the proposal for shifting was given due publicity with a view to obtain public opinion;
  - (iv) if not, the reason therefor;
  - (v) whether respectable gentlemen of the locality including persons of Aherbelma village forwarded a representation to the Inspector-General of Police against such shifting; and
  - (vi) whether Government consider the desirability of holding an enquiry before shifting the thana?

MINISTER in charge of the HOME (POLICE) DEPARTMENT (The Hon'ble Dr. Bidhan Chandra Roy): (a) It has been decided to shift the police-station from Raina to Aherbelma.

- (b)(i), (ii) and (v) Yes.
- (iii) No.
- (iv) It is not the practice to give publicity to proposals of the kind with a view to elicit public opinion.
- (vi) Government see no need to alter the decision already arrived at after careful consideration of local conditions.
- 8]. PRAMATHA NATH BANDYOPADHYAY: Supplementary question, Sir, পুৰান নথী নহাপন বলেছেন যে "it has been decided to shift the police-station from Raina to Aherbelma". কি কারণে এই decisionটা নেওয়া হ'ল আবরা জানতে পারি কি ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: The village Raina in the district of Burdwan where the local police-station is situated is a very out of the way place. It is notoriously malarious. Officers and men constantly suffer in this place and there are no proper facilities for medical treatment at Raina. It is normally an inaccessible place and during the rains it is completely cut off. The police patients cannot therefore be easily removed to the police hospital at Burdwan. The thana buildings at Raina are in an extremely bad state of repairs and the absence of suitable quarters for thana staff has made the condition worse still. There are quarters for the officer in charge which are in a dilapidated condition while the second Sub-Inspector and the Assistant Sub-Inspectors have no quarters at all and have hired miserable huts in the bazar or live in the thana building and the inspection room. The Deputy Inspector-General of Police who inspected the buildings some time in May, 1950, observed that the thana buildings and the constables' barracks were cracked all over so much that they might collapse at any moment, and the barracks have been declared definitely to be unfit for human habitation by the Subdivisional Officer and the Works and Buildings Department. The approximate cost of reconstruction of the thana buildings is estimated at Rs. 60,000 and this sum would be necessary to repair the old buildings. On the other hand the local zamindar has offered to construct thana buildings and constables' barracks and police officers' quarters according to the standard type and plan and let them out at moderate rent and maintain them in case the thana at Raina is transferred to Aherbelma which is an adjacent village. This village is within a mile from Shamsundarpur on the Bankura-Damodar Railway and it has a much better situation than Raina so far as communications are concerned for control of crime. There is a charitable dispensary at Aherbelma, a free primary school and a high school and there is a proposal to start a hospital and a college in the near future. Considering all these points Government came to the conclusion that the thana should be shifted to Aherbelma.

Sj. PRAMATHA NATH BANDYOPADHYAY: Supplementary question, Sir, পুৰান নৱী নহাণৰ বলনেন বে Aherbelma (শ্যাবস্থলরপুরে) বাতারাত করা অত্যন্ত কটকর, কিছ দেটা একটা flag station; Raina হচেছ A. D. station, স্থতরাং Raina বাওরার বেশী স্থানিব।
বিষ ৷ Raina বেকে Aherbelma রুলি করেক নাইল দুরে এবং এটা একটি important place. ভাষনে Raina কি করে সহক্ষে বাওরা বার না ।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have nothing more to add.

8j. PRAMATHA NATH BANBYOPADHYAY: এটা প্রার একশো বছরের পুরাতন থানা এবং এটা গতর্পনেপ্টের নিজের জারগা। এখানে না করে তিন বাইল দূরে এই থালা একজন বড়লোক বাড়ী তৈরী করে দিচেছন বলেই এটা সেখানে সরিয়ে নিচেছন। তাহ'লে কি বে কোন বড়লোকই বাড়ী তৈরী করে দেবেন দেখানেই থানা সরিয়ে নিয়ে যেতে হবে ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: একণ বছৰ যদি এগ বৰণ হৰে থাকে ভাৰে একে বিসৰ্কাদ দেবাৰ সময় হাৰেছে।

- 8j. PRAMATHA NATH BANDYOPADHYAY: তাহলে ত প্রার সক্থলি থানাবাই বরন একণ বছর হয়েছে, সবগুলিকেই বিসর্থন দিন, কলিকাতারও একণ বছর বরস হয়েছে। তার কি ক্সাক্ষেপ? (No reply.)
- 8j. ANNADA PRASAD GHOUDHURY: বাননীর বহী বহাণর বলেছেন [b(i)তে] বে দেখানে পোষ্ট অফিস, Sub-Registry office এবং অন্যান্য গভর্ণবেণ্ট অফিস রবেছে। তাছাড়া দেখানে একটা High Schoolও রবেছে। এই অবস্থাম গভর্ণবেণ্টের নিজের জায়গাম নিজের বাড়ী তেজে গিয়েছে এবং দেটাকে ৬০ হাজার টাকা বামে মেরামত করাতে হবে বলে ধানাটাকে আর একজন জমিণারের বাড়ীতে গরিষে দেওয়া হবে কি গ

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have nothing further to add.

### UNSTARRED QUESTIONS

(answers to which were laid on the table)

### Expenditure on Small Irrigation Schemes in Cooch Behar district

6. SJ. UMESH CHANDRA MANDAL: Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state the amount which was spent in Cooch Behar district last year under Small Irrigation Schemes and Re-excavation of Derelict Irrigation Tanks (separately)?

MINISTER in charge of the AGRICULTURE DEPARTMENT (the Hon'ble Prafulla Chandra Sen): No amount was spent in connection with the execution of Small Irrigation Schemes and Schemes for the Reexcavation of Derelict Tanks in the district of Cooch Behar during 1949-50.

### Shifting of Raina police-station to Aherbelma in Burdwan district

- 7. Sj. BIMAL COMAR CHOSE: (a) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether Raina policestation in Burdwan district has been or is being shifted to Aherbelma?
- (b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state—
  - (i) if any public notification was issued before such shifting was effected with a view to obtaining public opinion;
  - (ii) whether it is a fact-
    - (1) that Raina thana connects two districts, Burdwan and Bankura, by a railway and is much bigger place than Aherbelma, and
    - (2) that it has within its jurisdiction a sub-registry office, a post office and other Government offices;

- (iii) whether any respectable gentlemen including the President of Aherbelma Union had forwarded a representation to the Inspector-General of Police against the shifting of the Raina thana to Aherbelma; and
- (iv) whether Government will re-examine the whole question with a view not to shift Raina thana to Aherbelma?

MINISTER in charge of the HOME DEPARTMENT (the Hon'tile Dr. Bidhan Chandra Roy): (a) It has been decided to shift the police-station from Raina to Aherbelma, but the shifting of the police-station has not yet been effected.

(b)(i) There is no provision for any notification inviting public opinion in such matters.

A notification giving effect to the change will be issued in due course.

- (ii)(1) It is true that Raina thana connects two districts, Burdwan and Bankura by a railway, but Shyamsundarpur (Aherbelma) is also a station on this railway. Raina is no doubt a bigger place than Aherbelma.
  - (2) and (iii) Yes.
- (iv) Government see no need to alter the decision already arrived at after careful consideration of local conditions.

### Adjournment motion.

Dr. SURESH CHANDRA BANERJI: মাননীয় শীকাৰ মহোদয়, আমি একটা adjornment motionএর notice দিয়েছি, সেটা হচেছ অলপাইস্ভড়িতে যে ৯ জন লোক hunger strike—

Mr. SPEAKER: I am informed that the hunger-strike is over.

The Hon'ble Dr. BIDHAN CHANDRA ROY: The strike was called off last night.

### Allotment of Non-Official days.

8]. DEBENDRA NATH SEN: On a point of privilege, Sir, I have given notice of a non-official resolution, but from the list of business circulated I find that no non-official day has been allotted.

Mr. SPEAKER: I shall look into the matter.

### COVERNMENT BILL.

### The Calcutta Tramways Bill, 1951.

8j. SIBNATH BANERJEE: বাননীর Speaker বহাণর, কাল আমি বলেছিলার বে nationalise করবার জন্য গওর্গনেপ্টকে বাবা করবার একটা methodএর দরকার। এবানে আইন বলে একটা বাঁবা পছতি আছে। তাতে বনে হচেছ পুরান-মরী মহাণর বে রকম বলেছেল বে under the circumstances, তিনি বা করেছেন, সেটাই best. সেইজন্য আমাকে বল্ডে হচেছ, অন্য একটা পহাও বরেছে, বা নাকি এবানের রেলওরের শুনিকরা অবলয়ন করে ছিল এবং জনসাবারণের সমর্থন পেরে তারা strike করেছিল। তারপর সেই Railway টার বণিও পুরাপুরি জাতীরকরণ হয়নি—্রাঝা বাবি একটা ব্যবহা হয়েছে। কিছু interested partyকে সরিয়ে বেওয়া হয়েছে। জানি না শেষ পর্যান্ত এখানেও সেই পদ্মাই আমানের অবলয়ন করতে হবে কি মা। আর একটা example—বেটা কাগজে পুরি রোজই বেরুছেছে সে আর একটা পদ্ম ইরাণ থেকে বেবা বিরেছে সম্পুতি। আমি ১৯১৭ সালে Moscowes বা হয়েছিল বা ১৯৪৮/৪৯/৫০ সালে চীনে বা হয়েছে, প্রক্ত তেমনি একটা পদ্ম—বানিকদের বিরুছে—প্রকি তেমনি একটা পদ্ম—বানিকারে জনসাবারণের Assemblyce

हा अहील इरवहिन-छाटे अवानकात वर्षमान भुवान-स्वीरक रावाहिक। छाटे स्वरक भुवान-स्वी स्थानकरक स्वरहा ক্রিছ পিকা বিত্তে পারি কিছ তিনি নে পিকা নিতে প্রস্তুত নল। একট বর্হজেই নেই পিকাটক নিতে পারজেন। কাৰৰ দেখা বাক্ষে তাতে Governmentএর এবন কিছু বাধা নেই। কিছু দিন আগে তারা বার চাইলেও ধার প্ৰেক্তন না কিছু এখন দেখা বাচেছ, ধার চাইবাবাত্র তা পান। এই ও এক কোট সম্ভৱ কক্ষ টাকা চেরেছিকেব: किस हक्तां बादा त्रोत overdrawn दार (शन। काट्यर शर्जरवर्ग loan निरंत्र चनावारमरे अकी। किह क्रवाल शांत्रालन। बारनारमनं এवर पांत्रश्च करवको त्रारकात loan निष्ठतात वावका तरवाह। ति मिक स्वरक क्ष शांचात्र किङ् किंग ना। Important त्य गव concern, जात्मत्र nationalise क्यवाद बना होका हाई জনবাসী তা নিতে সর্বেলাই পুস্তত। আর একটা ব্যবস্থা করতে পারতেন। Co-operative basise এটাকে রেজিটারি করে। বাড় নাড়ছেন (pointing to the Treasury Benches). আপনারা ভাবছেন basis4 চলেছে। এখানেও লেই co-operative basis4 এটাকে চানালে এতে বে ৬ হাজার শহিক আছে, ৬০ লক যারা যাতারাতে ট্রাম ব্যবহার করে অর্থাৎ যারা ট্রামে চলে ও ট্রাম চালার—তাদের বলি approach করেন, by way of share, তারা এটাকে সাহাধ্য করতে বাধা। কিছ তিনি এ দিক দিরে ৰাবেন না। তিনি গিয়েছেন ঐ প্ৰতিষ্ঠান যেভাবে আছে, ঠিক সেইভাবে চলতে থাকুক। অৰ্থাৎ বে foreign capitalist वा व्यावास्त्र वावीनैठा movementes againste हिन, वात्रा ववास्त्र वाकारण এই নাৰালক স্বাধীনতা বিপন হতে পারে—তারা যাতে এখনও আমাদের যাডের উপর চেপে থাকতে পারে— बारमंत्र क्रिकारमंत्र policy इत्तक्-administration and exploitation-जारमंत्र बाज त्यत्क, क्रीका बाँहे, अहे अक्टाए जिन administration । निर्माण हारू जानर नारम नारम् नारम नारम् नारम লে জন্য যদি ধার করে টাকা দিতে হয় তার againstএ জামরা নই। জামরা চাই পরিচালনভার সম্পূর্ণভাবে निरम्भापत्र शास्त्र शास्त्र । यमि वरलन, आवारमत्र experience त्नरे, त्नो अकी कथारे नय। कावन 80 राष्ट्रांत्र माटेल नााणी Railway ९ गंठ त्कांत्री होकांत्र ब्रुगांशात्र—त्मर्थात्न यपि Indiansai हालांटल शांत्र, बाबा विरामी किल, करल बाबाब श्रव. जाररल এই क बाहेल Tramway कि जाना कालारज शास्त्र ना ? Dr. Roy जब कबरकृत त्य कानात्ना जाना नवकातः। गर्जन्यभे यनि तम्बीत উপयुष्ट लात्कता कानित्व त्यर्ड भारत, उदर क्रोमश्रदा छात्रा ठालिया यारछ शातरन ना. এ शात्रमा Dr. Roya कत्रा উচিৎ ছিল ना। এ खाना नरपश দে দিকে বেতে তিনি রাজী নন। তিনি একটা কথা খব বেশী বলেছেন, দেখ কত স্থবিধা হয়েছে—স্বাৰর। Advisory Board পেরে গেছি। কিন্তু এই Advisory Board আমদের অনেক জারগার আছে—Port Commissioner, Railwayতে আছে-তারা যান, একটু হাওরা খেরে চলে আসেন। ওলের যে कि ক্ষতা আছে জানি না। Advisory Board শুৰু adviceই দিতে পারে কিছ তাদের মত গ্রহণ করা না করা নির্ভর করে Board of Directorsদের মর্জির উপর। এ কথার অতিরিক্ত বদি কিছু থাকে, অনুপূহ কৰে, আনাকে ডা: রার দেখিরে দেবেন। (VOICE FROM TREASURY BENCH: আপনি না পড়েই বন্ছেন। তাল করে পড়ুন।) আপনার। ত ভাল করে পড়েছেন। ধুব ভাল করে—নতুন বণি কিছু पारक नगन। It is a challenge.

ভাৰণৰ agreement এব কথা। Confiscation এব কথা ছেড়েই দিলাৰ—কাৰণ সেটা very unpleasant to the present Ministers. কিছু সোজাহাজি কেনা বেচা হিসেবে দেখুলেও বে দাবটা ভারা দিচেছ্ন সেটা জনেক বেনী। কাল দুীবুত দেবেন সেন সেটা দেখিয়েছেন—বে পাঁচ কোটি টাকা হব না, হব ভিন কোটি—সেধাবে difference হব ২ কোটি। তারপর আবার ভনেছি যে invested capital ছিল ৯ লক্ত ও পাউও পর্যন্ত। ভারপর পেওবা আছে ৭ লক্ষেব কিছু বেনী। Preferential shares and debentures আছে ৬ লক্ষেব বতন। এবং তার interest দেওবা হচেছ। যদি কিনেই নিতে হব—confiscate না করে—ভাহলে companya invested capital যা ৯ লক্ষ্য পাউও—ভার বেনী দান হতে পারে না। এবং সেই ৯ লক্ষ্যাউওও দেওবা দরকার কি না সেটা বিবেচনার বিষয়। আনি Moscow বা চীনের বা Iranএর কথা ছেড়েই দিচিছ। এই Houseএই যা করা হরেছিল বে কথা আবি আসে উল্লেখ করেছি, এবন একটা আইন এখানে পাশ হরেছিল, তার মধ্যে বেধি করি Dr. Royও ছিলেন—বিদ ১ শত টাকা দিরে তার থেকে ২ শত টাকা আদার হরে থাকে, ভাহনে আর কিছুই দিতে হবে না। আইন বত ১ শত টাকা দিরে ৫ শত টাকা আদার হবে থাকে, ভাহনে আর কিছুই দিতে হবে না। আইন বত ১ শত টাকা দিরে ৫ শত টাকা

money-lenderरपत्र कांक् (पंटक बांक्सपत्र बींकांत्र बनाई वहें बावज्ञा विश्विक कता स्ट्रहिन। त्रिक्ते Moscow, China, Iranas উनास्तर्भ नत--commonsense हात्रा चिनियक्ते। विकास करत करा स्ट्रहिन। यि त्रिक्ते विकास विवास करा स्ट्रहिन। यि त्रिक्ते विकास विवास करा स्ट्रहिन। विकास विकास विकास विकास करा स्ट्रहिन। विकास वितास विकास व

স্কুড্রাং দে অনুনাৰে compensation দেৱাৰ কোন পুৰোজন নেই। অবন্য Dr. Roy ৰে এ কথা বেছে বেৰেন, সে আনজা আমাৰ নেই। আৰ একটা কথা তিনি বলেছেন বে টাকাটা এতে invest না কৰে বলি আমিরা বড় বড় project যথা Damodar Valley, পুভূতির জন্য থরচ করি নেটা more productive হবে। কিছু আমি বলি—নেটা more productive কিনা বনা মার না—কারণ সেটা আনকে কাঁটিন ব্যাপার। নোজা কথা হচেছ এই—বিদেশী মানিকদের এখানে বলে থাক্তে দেওরাই আপজ্জিলনক। কারণ আমাদের আপজা হব তারা আবার কোন গোনবালের স্থাগে আমাদের বাড়ে চেপে বসুরে। বেষন Irand বচেছে। Pro-Britishরা এখনও সেখানে এক গভর্গনেশ্ট উন্টিয়ে আর এক গভর্গনেশ্ট করতে চেটা করছে। আজ এখান থেকে তারা চলে গিয়েছে Labour Partyর চাপে, কিছু Churchill Party তাতে রাজী নয়। তার পুরাণ, ভারতবর্ষে ও তার চার পানে যা ঘট্ছে, তারক্লন-কাটি তারাই নাড্ছে। স্পুতরাং তাদের যদি আরও ২০ বছর বাসের স্থাগে দেওয়া যায়, তাহনে তাদের intrigue করবার further স্থাগে দেওয়া হয়। ২শ বছর পরে আমরা যে জিনিঘটা পেয়েছি—তারপরে আর এই বিপদের নাথ আমাদের বাধীনতা আবার বিপানু হতে পারে। বিবিয়ে আমাদের সাবধান হওয়া ধরকার।

Election পর্যান্ত তারা অপেকা করতে পারতেন, সে সহছে উনি যা বলেছেন তাতে আমি একমত নই। General election এর পরে তাঁরা এখানে क्लाবেন না তা তাঁরা জানেন। তার জনাই existing Constitution এ সেটা করিয়ে নেবার চেটা করছেন। কোন কারণ নেই আছকে ২০ বংসরের জন্য এই क्ष#य हिंक कतात । य काम्भानीरक जाँवा नवर्षन कत्राह्म त्नारे Companyत नवरक महे अको कथा बना ৰৱকার। স্থাৰ ভবিষাতে কি হতে পারে, Political intrigue ইত্যাদি নানা কারণে কি হতে পারে তা अवन तथा बीटिक ना । निवनत्तव जाँवा नत्त्व कि वावशाव कवरकन अवः passengerत्तव किजाद exploit করছেন তা ভাববার কথা। শুমিকদের মাহিনা বাড়ান যায় না, কিন্তু কেন ভাড়া বেড়ে গোল। শুমিকরা আভাক चक्क राम मात्रा याराष्ट्र। जुनरानगुन राज्यमानी ১১ न्यान এই companyto हाननी कनाम T. Big जाकान হল, কিছ company এক প্ৰদা দিয়েও তাকে সাহাৰ্য করেনি। এই company বহ লক্ষ্ টাকা এখান খেকে बुनाका करत निरंग शिराहरू, किन्ह এक श्रामां प्रमिकतमत क्रमा बाग्न करति। जात्र जातक case जात्र । এই সেদিন একটা লোক অসুস্থ হয়ে হাসপাতালে পড়ে আছে। Company একটা প্রসা দিয়ে সাহায্য করা म्रातन कथा, companyत भिकता এই চেমেছিল যে তাদের যদি কিছুক্ষণের জন্য duty থেকে off करत দেওরা হয় তাহলে তারা গিয়ে তাকে দেখাখনা করতে পারে। কিন্তু company তাতেও রাজী নয়। Tribunalus award তাঁরা নানাপকারে bypass কবার চেটা করছেন। Senior staffদের বাডীর কাছাকাছি duty (मध्या धरव এই कथा company वत्तिकृत, किन्न छ। करति। अथक Officer(मत विनास शरस्ट्र चमाक्रण! Double duty जाम भर्याञ्च रक्ष कत्रा श्यानि। य नश्य मिक्ता मृद्र शास्त्र जाता ताबित dutya नेत कि करत वाड़ी कितरव company श्रामित्क स्मर्थ ना। Tribunal award जनुनारत डाँता double duty (करवन ना এक्था चौकांत्र करतक्तिनन, किन्ह अर्थन राग्ने। bypass कता शतकः। यात्रा पुःच, चनाशास ৰাকে ভারাই কেবল double duty করছে। এই জিনিঘটা তাঁরা কলকাতার বকের উপর বলে করছেন এবং Dr. Roy डॉल्पन भुमन पिटन याटक्न !

Mr. SPEAKER: Order, order, we are discussing the Calcutta Tramways Bill and I do not think it is necessary to go into details of the labour disputes between the labourers and the company.

8]. SIBNATH BANERJEE: Mr. Speaker, স্যার, আবি দেখাতে চেটা করছি বে, এই company এত অবন্য বে তাঁদের আর একদিনও এখানে রাখা উচিং নর। আবি বল্তে চাই তারা publicative সাম্ভাৱ এবং প্রবিক্ষের উপর নিলীচুল ও পোষণ করছে। আবি আর ২াও বিনিটের বেশী বলব না

भाव (भव करत धरनिष्ठ) जानि वन्एछ हाई कनकात्रवानात्र duty कावांत्र ৮ वर्षा continuous duty ताहै। Company बतन निवनत्त्रत continuous duby दश ना, छात्रा अक्तांत्र करत पुरत अतन ১৫१२० निनिष्ठे time পার। কিন্ত ট্রানের সংখ্যা এত কবে গিরেছে ত্রে. শনিকেরা চা খাবার time পর্যন্ত পার না। এই ছদ বৰ্ত্তবাৰ পৰিছিতি। শ্যামবাজাৰ Sectionএ ৪৫টা Tram যেখানে পূৰ্বে ছিল শেখানে এখন ১৩টা Tram কৰে দিবেছে, আৰু time সমূহে বেখানে ১ ৰণ্টা ১০ বিনিট ছিল সেখানে ৫৫ বিনিট, কোন কোন মূলে আৰু ৪৮ বিনিট কৰে দিলেছেন। এই রক্ষভাবে বে company শ্রবিকদের শোঘণ ও নিশীভূণ করে দেই companyৰ বলে কোনকণ বীনাংসা করা উচিং নর। ১৯২৮ সাল খেকে আনরা এই দাবী করছি লেই Simon Commissionএর সময় হতে। খানর। সেই সময় Tram Companyte বরকট করে-ছিলাব, তার কলে ৫৪ জনের চাকরী বার, আবারও ৫ চাকা জরিবানা হয়েছিল। বাক, এসৰ জৰাত্তর কথা। কিছ এখন কৰা হচেছ যার৷ এই বকষভাবে জুনুষ করে যাচেছ তাদের সঙ্গে কেন এই চ্জি ? তাঁদের জন্ততঃ শ্ৰিকদের জানান উচিৎ ছিল, এবং শ্ৰানিকদের জন্য একটা সর্প্ত থাকা উচিৎ ছিল যাতে তালের স্থাবিধা হর। লোকের বতাবতও নেওয়া হয়নি, পরন্ধ সংবাদপত্রকেও জানান হয়নি। তাঁরা একটা reforendums জো ৰুরতে পারতেন। শমিকের কথা বাদ দিন, জনসাধারণের মতামতও তো নিতে পারতেন। অবশ্য এই Assembly लोन लोन नमना এইটাকে नमर्थन करत बन्दाइन जाता २० वश्नारतत Lease (मध्या होक। किस यात्र) প্রকৃতই দেশসেবক তাঁরা কখনও এইটা সমর্থন করতে পারেন না। এই House খেকে এটা পাস হয়ে বাবে। কিছ আমর। তীব বিরোধিতা করছি এবং বাইরে থেকেও তীবু বিরোধিতা করব এই সঞ্চলপ নিয়ে আমি আসন গহণ করছি।

Sj. JYOTI BOSE: Government পক থেকে ড' কেউ কিছু বল্ছেন না। For the sake of better debate, Sir, if the Government supporters would talk also in the mean-time, it would be better.

Mr. SPEAKER: I appreciate your point. But if the Government supporters do not want to speak, what can I do.

8j. JYOTI BOSE: In that case, Sir, I shall speak.

Mr. SPEAKER: Yes, you better speak.

Sj. JYOTI BASU: Mr. Speaker, Sir, as the previous speakers had unequivocally opposed this Bill which is before us, similarly I too am unequivocally opposed to this Bill because I feel and have felt that 30th August, 1951, was indeed a black day for our country, because it was on this day that the transfer agreement was signed by the Congress Ministry sitting opposite. Sir, this document is a contract of slavery: it is against sovereignty and independence and it is contrary to all that we have sought and fought for for the last thirty or forty years. You will remember, Sir, that throughout India's struggle for national independence and sovereignty thousands and millions of our people day after day had expressed their determination to win political, economic, cultural and spiritual freedom. But the political freedom that we have won is that we are inside the British Commonwealth of Nations. By economic freedom at least people had meant that the British concerns here should be confiscated and nationalised and that our economy should never be tied to the British imperialist economy and that it is the right of our countrymen to build up heavy and other industries in India so that we may really be economically free and not dependent on imperialist powers like Great Britain and America. But after four years we find that nothing of the kind has happened. We find, especially if we look at West Bengal, that the Britishers are continuing to rule and dominate over our economy as they have been doing for the last 200 years. Our jute, tea, many of our iron and steel concerns, many of our banks, and trade are still in the hands of the British. We have been fighting for the last thirty

years against this kind of domination of British imperialist and capitalist and even today we find that octopus, grip of British imperialists in our economy throughout India, and especially in West Bengal.

Of course, this is not surprising to us. When our country was divided by means of the Mountbatten Award we reiterated at that time that the Congress leaders had given an assurance to the Britishers before that division took place that their economic interests, i.e., the interests of the Britishers in India would be safe in the hands of the Congress leaders if they came to power in India and that is why it would not be out of place here if I read out to you two paragraphs from the manifesto of the Communist party of India which we have issued just before the coming election:—

"In violation of every pledge, in violation of every solemn declaration to implement which tens of thousands laid down their lives the Nehru Government made India a part of the British Commonwealth of which the British King is the head and in many areas of which Indians are treated worse than pariahs. Our Navy and Air Force are commanded by Britishers, our Army is controlled by their advisers and experts, our arms are modelled and manufactured by the British.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: On a point of order, Sir. Is the honourable member entitled to read in extenso from the election manifesto of his party while speaking on this Bill? Is it relevant?

- Mr. SPEAKER: Mr. Basu, we are now discussing this Bill and you can say in this connection what should be nationalised but it is not necessary for you to read the Communist manifesto.
- 8]. JYOTI BASU: Mr. Speaker, Sir, as you know by now I am a member of the Communist party returned on a Communist ticket and I think if I am relevant to the matter I can read out from the manifesto of the Communist party of India issued before the coming general election. I do not think if I am relevant you can stop me but if I am not relevant certainly you can stop me. You just listen to me instead of hearing the shoutings from the Congress benches, and then I think you could realise my position.

"Britishers continue to own or control our mines, our plantations, our oil wells and refineries, our jute mills, many of our engineering works and other concerns. They control our foreign trade, our banking and finance..."

- Mr. SPEAKER: Order, order, Mr. Basu. As a matter of fact, apart from other objections, we do not permit long extracts of this nature to be read out. Whatever arguments you have to place before the House you are entitled to do but reading in extenso of a manifesto on behalf of a particular party. I do not think, is at all relevant. Therefore you can say whatever you like to, having a bearing on the subject but I cannot allow you to go on quoting in extenso from an election manifesto in this fashion.
- 8]. JYOTI BASU: Sir, I would ask you to give me a patient hearing and then if you find that I am not relevant you can pull me up.
- Mr. SPEAKER: The position is this that the question before us is whether this agreement should have been entered into or not. Any reference to that question is relevant but you cannot in that connection read out a whole election manifesto.
- Sj. SIBNATH BANERJEE: Sir, the agreement is not before us but the question is whether this Bill is to be passed or not.

- Mr. SPEAKER: Yes, but the agreement is there in the body of the Bill. The question is whether this Bill which incorporates the agreement should be taken into consideration. Now I quite appreciate that in considering this Bill you are entitled to say that instead of entering into the agreement Government should have nationalised this company, this particular concern. You can generally therefore allude to the policy of nationalisation although that is merely incidental. You can say that nationalisation should have been the policy of Government but even then you must conine yourself specifically to the question before us. We are not discussing the entire policy of nationalisation—whether that policy is to be adopted by the Jovernment. But I do not prevent you from incidentally referring to the policy of nationalisation but if you make that the main burden of your speech, then I am compelled to ask you to be relevant.
- Si. DEBENDRA NATH SEN: Sir, here the point at issue seems to be hat my honourable friend, Mr. Jyoti Basu, wants to clarify this point that he Congress Government entered into a contract at the time of transfer of lower that the British capitalist interest here would be safe in the hands of the Congress and he is now trying to show that by reading extracts. His point is this that the Congress Government entered into a secret contract that the British capitalist interest was safe and that point he has been leveloping.
- Mr. SPEAKER: If you wish you can bring in the whole history of the administration if that be relevant to the point under discussion. But that s not the subject now before us. The motion before us is that this Bill be aken into consideration. Now what is the Bill? The Bill embodies an greement between the Government and the Calcutta Tramways Company and that is being discussed. Therefore what I would suggest to you is this—dlease confine your attention to the principle of the Bill, whether this Bill hould be passed by this House or not. Now, incidentally I admit, you can efter to general subjects but what I differ from you in is this. You cannot nake the question of nationalisation the main burden of your speech but you say incidentally refer to it. You should confine yourself to the specific natter contained in the Bill. Suppose you begin discussing the whole olicy of nationalisation on a Bill regarding the Calcutta Tramways Commany. Now, that cannot be relevant. Incidentally, you may say that you re in favour of nationalisation and that nationalisation should be the policy of the Government, but you cannot deliver a lecture on the nationalisation rolley of the country as a whole over all industries.
- Sj. DEBENDRA NATH SEN: I think he is not discussing nationaliation at all. He is discussing the motive of the Government.
- Mr. SPEAKER: He is discussing what is more or less a Central subject s to what was the nature of the agreement entered into by the Congress arty with the British Government at the time of transfer of power. I have lready stated that you can generally refer to it but do not make it the main urden of your speech.
- Sj. JYOTI BASU: With due respect to you, Sir, I spoke for two sinutes only before you stopped me and yet, Sir, you say that the main urden of my speech has already been found out. Had I spoken for half n hour and gone on in this manner, then this question could have arisen, ut I spoke for only two minutes. However, I shall close reading the samifesto of the Communist Party for the time being since you do not like hear it, but all the same, I shall give some arguments in my speech. gain if you think you have to stop me, please do stop me. But my speech my own and I shall make it.

As I was trying to point out, it is the basic policy of the Congress Government everywhere in India that British capital and British interests should be safe. That was the deal which the Congress leaders entered into when they agreed with the Mountvatten Plan and divided the country Our Ministers here in West Bengal are only carrying forward that policy in practice with regard to the Calcutta Tramways Company which is a British concern. I hope, Sir, that now you will begin to understand why I was referring to the general policy of the Congress Government and how I wanted to link up the general policy with the specific and particular policy of these Congress Ministers sitting over there when they entered into this deal with a British Company—the Calcutta Tramways Company. That is why I have referred to this agreement as a charter of slavery—as a document of slavery and nothing else—and against the national interests of our country, against our sovereignty and independence.

The Hon'ble Chief Minister, whilst he was referring to this transfer agreement, tried to give the Government point of view with regard to the advantages which have accrued to us and he said that this was the best agreement that was possible. He also told us—which surprised us—that we cannot deviate from the agreement in principle or basically. I do not know what this means and yet, at the same time, this Bill is brought before us for our ratification. We cannot change it basically because it is a fait accompli. But we are told that the members of this House must consider this Bill and when it becomes an Act, people will be told outside that the stamp of the legislature is there on this document.

Anyhow, when we saw in the paper, we did not know the contents, but we knew that the thing had been done and we knew that the Government was in a hurry because within a few months they will be out of office. If they cannot come back, then others who will come in—specially the democratic forces who will win in the general election and who will come in at a later stage—will never sign such a document with the Tramways management.

As I was saying, the Chief Minister tried to tell us with regard to this transfer agreement that the price was reasonable, that the entire system was covered and the Government have taken the place of other local bodies and that the shareholders' dividend was limited to 4 per cent. and so on. Then he got a little annoyed with me because I had given an amendment. He referred to that amendment and said that I had offered the handsome amount of £1 for taking over this company and Dr. Roy was outraged—the Hon'ble Chief Minister was outraged. He said that this method of getting other people's property for nothing is not the method of honest Congress Ministers. Then he referred me to the Indian Constitution. He tried to make out that the Indian Constituion had suddenly become sacrosanct, the Indian Constitution had become a sacred object and could not be changed. He referred me to article 31 and some other articles. But, Sir, that may be the Government point of view, but our national movement demanded some other thing for the last 30 years. The Congress Ministers have not told us what the national movement demanded. Do not the Hon'ble Chief Minister and his colleagues know that for the last 30 years people have been told day in and day out that once we became free, all these industries which were owned by the British would become the property of the Indian people. We have been told so; today they may change their mind, we do not know, but that is exactly what we have been told so long. For the last 30 years we have not been told that another 20 years would be necessary to nationalise the properties of the British. We have not been told that the Britishers must continue because we have not the men to run our industries. It is a fantastic and amazing thing coming from the Chief Minister when he said that the British Management of this company have agreed that they will train our people

for the next 20 years so that there will not be any difficulty in our taking over the concern. So, after all these struggles with the British, after so much sacrifice, we have yet to learn from the British how to run a Tramway Company. Dr. B. C. Roy, the Hon'ble Chief Minister, may learn from his British and American friends many things, but we have not to learn. We know how to run our concerns and if the Hon'ble Chief Minister had a little faith in our people, then he could get the men he needed both from the management and amongst the workers to run this concern of the Calcutta Tramways Company. But unfortunately we have been so used to this slavish mentality that we think that unless the Britishers train us for the next 20 years, we cannot take over this concern. Yesterday I tried to interrupt him and I said "Whose property are you talking about that you have become so much concerned that we must pay them compensation" and so on. Is the interest of the country greater than the interest of the British firm or not? I should have thought that the interest of the country was certainly greater than the interest of a British concern. Do not the Hon'ble Chief Minister and his friends in the Cabinet and the memebrs on the Congress benches know how these industries the British built up in our country? Surely they know that amount of history-or have they forgotten their history during these 3 or 4 years of rule—that it was through colossal cheating of our people, plunder and loot of our people that the Britishers built up their concerns or industries in our country and yet we talk about morality so far as the British imperialists are concerned. Therefore, I say as far as these people are concerned—people who looted our country and built up their concerns here—they have no moral right to exist, they have no moral right to get a single farthing from us-I am at least giving them £1. fore economically I say that my conclusion is that it is against the interest of our country that the British concern should continue in India, because first of all the main basic point is that they have prevented our basic industries, our key industries from growing up in India, so that the profits in their own concerns may be sent to England and other places outside India. No Sovereign Republic will ever tolerate such a thing. If I may refer the Hon'ble the Chief Minister to that little country Iran-he has already been referred to it-then at least he could try to learn some lessons from that country. In Iran they are trying to nationalise the Anglo-Iranian Oil Company and through the pressure of thousands of anti-imperialist people of Iran the Government has taken bold steps to see that the last Britisher left Iran and that they nationalise their concern, run it for themselves and see that the profits do not go out of Iran. When that little Iran could do this. I do not see why our big country, India, cannot do it, but the only trouble is that our little petty Ministers do not think that it is possible even to run a tramway company unless the Britishers are here and they teach us how to run it.

Then Sir, the Chief Minister has referred to the Constitution. I do not know, Sir, how the Constitution has become suddenly so sacrosanct that it could not be touched. It is proverbially said that public memory is short. I do not know whether it is so, but it seems to me that the memory of the Hon'ble Ministers has failed, because once, on a previous occasion I referred the Hon'ble Ministers to a great document—a secret letter, a memorandum, which they sent to the Central Government in Delhi requesting them to change the Constitution as far as the sections dealing with the civil liberties of the people were concerned. That Constitution was changed by the Hon'ble Pandit Jawaharlal Nehru within the space of one hour and when that could be done surely section 31 of the Constitution is not so sacred and sacrosanct that it cannot be changed. So it was useless to refer to that section to me. If you can change the Constitution in a manner whereby you touch the civil liberty of the people of the country, the freedom of the press, then I do not think why this section dealing with property and

which section goes against the interest of the people cannot be changed within 24 hours. I hope the Chief Minister has a reply to that query of mine. If the Constitution is reactionary in certain parts, it is the duty of the people to change that Constitution. The Hon'ble Chief Minister has given us some figures to day just now. Unfortunately we did not have these figures yesterday. These figures tell us in brief that whereas this concern would cost us Rs. 10 crores or over, we are going to have it for only Rs. 5 crores 20 years hence. It is such a good thing and this agreement is the best possible agreement. Sir, I am not concerned with these figures—Rs. 5 crores or Rs. 10 crores. The Chief Minister told us that money that is available in the country would be needed for the Damodar Project and Mor Project and so on. I am in agreement with that view of his, but why sidetrack the whole issue? The first point is that the people of West Bengal never gave any right to these Hon'ble Ministers just two or three months before the General Elections to come into an agreement with a foreign concern and an agreement which is to run for 20 years. I know that such things are being done. If I am not irrelevant I shall refer to a statement made by the Food Minister of West Bengal when he said that it was a good thing that they got some loan to purchase food from America and they would not have to repay that loan. Perhaps, Sir, our sons and grandsons will have to repay that loan. Sir, this is the basic policy of the present Government, just like an Emperor of France said "After me the Deluge". This is the way of petty small rulers who come once to power. Therefore I am not surprised at all that that argument was given-that after 20 years we have to pay Rs. 5 crores and that it was a great agreement: Dr. Roy, after all, will not be there to pay that money, some of his colleagues will not be there and many of us may not be there to pay that amount, but that is what they are leaving for their posterity. We know that this Government is honour-bound not to harm British capital, because it was on these terms and conditions that we became "free" and that our great country was divided into India and Pakistan. They are honour-bound not to make any agreement or sign a contract whereby we can get hold of a British concern immediately. But I know that they are counting without their host—the people of West Bengal, nay of India and they will never tolerate this kind of document which, as I said in the very beginning, is a document of slavery. Our fighting people, our anti-imperialist people, our freedom-loving and democratic people of India will surely march ahead to see that this document is treated like a scrap of paper. I am in complete agreement with what Sj. Debendra Nath Sen said yesterday that nobody should tolerate this document and it should be torn to pieces and scattered to the winds. But, Sir I know that for that the people of West Bengal will have to be united, their forces mobilised so that we can throw out these Ministers who could sign such a document. Just now Sj. Sibnath Banerjee referred to the condition of the workers of the tramways company, how this company treated their workers and you, Sir, took a little objection that the point was out of place and that it should not be mentioned here. But, Sir, surely we can mention this fact generally that when this company has made so much profit from year to year it is certainly our concern to point out how they have dealt with their workers in their own concern but the Hon'ble Chief Minister never referred to in this House the fact how in this company there was the longest strike in India because the condition of workers was such that there was no other alternative for the workers than to go on strike. Even today despite all their profits, despite all the contracts they have entered into with the West Bengal Government, we know what a callous attitude they show to their workers. Yesterday, Sj. Deben Sen pointed out by figures that at least Rs. 2 crores were being paid to this company extra. I do not know whether this figure is correct

but the Government must answer us. As I said in the beginning I am not very much concerned with these Rs. I crores or. Rs. 5 crores and the rest of it, because my basic point is no British concern in India should be paid a single farthing. All their concerns should be confiscated and nationalised and made the property of the people. The Hon'ble Chief Minister does not know of course what nationalisation means. He thinks probably that this taking over is nationalisation. But it is not nationalisation when you pay thousands and millions of rupees to them and heap upon the tax-payers to pay back the amount. Who runs this concern? It is the workers, the employees who run it and not these fat-salaried officers. When a concern becomes the property of the people, it is called nationalisation of the concern. Therefore, Sir, before I sit down, once more I say that the people of West Bengal and the workers of the Tramways Company and the democratic people of West Bengal shall never tolerate this document. They will treat it as a scrap of paper, tear it into pieces and scatter it into the wind.

8j. BIMAL COMAR CHOSE: Sir, I want to make a business assessment of the agreement that has been placed before us and I shall not be concerned with politics at all. I hope, Sir, I shall not be accused of lacking in objectiveness which happens to be the cliche applied by those in authority to those who differ from them.

Sir, there are two difficulties which confronted me in analysing this agreement. The first was lack of relevant data. That to some extent has been remedied by the papers circulated just now, but they were circulated too late. I should have wished, Sir, that this document were circulated to us yesterday, because without having all the facts and figures it is not possible to examine a business agreement.

The second difficulty is one to which my friend Mr. Jyoti Basu also referred. Now, what is the possition in regard to this agreement today? Is it already sealed, signed and delivered? Or is it a document which, so far as the Tramways Company is concerned, is a "take it or leave it" document?" Or can the Government still, if they feel that they were wrong in certain aspects, bring in any amendments to that agreement? I am not quite sure on that point.

Coming to the question of nationalisation, I think that is more or less beside the issue. So far as it appears to me, both the Government and those who have supported nationalisation are agreed on this issue, because Government themselves say that this is a Bill to empower them to acquire the undertaking; and whether the Chief Minister likes it or not, that appears to be the objective of the Bill. The difference is this, whether it should be nationalised immediately or 20 years after.

Sir, there is one thing I should like to draw your attention to, and that is that the Government appears, at least the Chief Minister appears, to have changed his attitude at least on one question and that is whether to take over public utility services like the transport. When the Chief Minister had brought in his proposal to start bus services in the State, some of us—at least I,—felt that this enterprise was a field where private enterprise was doing all right and that there was no dearth of capital in that field. If only licences were given there would be a lot of people coming forward to run buses and the money could be utilised for more useful purposes. I was told then that it was the desire of the Government to nationalise transport undertaking—buses and tramways—and that a public board would be set up to control and take charge of it. We have not heard anything of that public board as yet. Probably the experience of the Chief Minister with the buses has appreciably cooled his ardour now, and he feels that he should not proceed any further in that direction.

Now, coming to the agreement itself, there are one or two good points which I should like to refer to. Firstly, that we shall have henceforth one contract on behalf of those with whom the Tramways Company had previous contracts. Henceforth there would be only the Government. But that is beside the issue, because even if the Government wanted to nationalise immediately, that could be done.

There is one more point. At least that is not in the Bill, and I do not know as to what is going to happen with regard to the contract with the Secretary of State for India. Has that automatically vested in the State Government? I do not know, and I hope the Chief Minister will clarify that.

Now, with regard to the agreement itself, Sir, there are two or three questions. First about the price. It has been stated that the price at which the undertaking is to be taken over at the end of 20 years is very favourable: that we would have to pay Rs. 10 crores now and we shall have to pay Rs. 5 crores 20 years after. It is difficult to say as to whether that is of any advantage to us. The Chief Minister has said that the price has been calculated on the basis of book value of the undertaking plus 40 per cent. and he illustrated the point by saying that if there is a piece of land whose value is Rs. 100 now, in 20 years it would be very much higher. Of course that would be so. But what about the rolling stock and what about the other things whose value would depreciate? That is a point to be reviewed. What was the depreciation that had been provided for? That is about 80 or 87 thousand pounds. I cannot say offhand as to whether that is sufficient. I shall refer to that point again, but there is one interesting feature to which I should like to draw your attention. We shall be paying 5 crores at the end of 20 years. If we were to take it over today, we shall have to pay 10 crores. Now, Sir, under this agreement every year we shall be giving to the company in the shareholders' account about 87 thousand pounds or some thing like that. In 20 years that would be nearly 21 to 21 crores. So we shall be paying 5 crores at the end and in between 21 to 22 crores. So it will not be merely 5 crores. Yet there is another interesting point. interesting point. If you refer to the papers that have been circulated to us as to how the price of 10 crores was calculated, you will find that it is very interesting. It is on the basis that on the average of 7 years from 1943 to 1949 the profits were nearly £350,000. That is the net earning.

Now, Sir, I put it to you, if I were to take over the undertaking today, in 20 years' time there is a profit of 3,50,000 pounds every year. It will be in 20 years over 10 crores. So I put it to you as a businessman, if I could pay up that money today and take over the Tramways Company, then over 20 years I shall be earning 10½ crores, and shall also be paying to the shareholders' interest account between 2½ and 2½ crores. So that so far as I am concerned I cannot see as to how it is a business proposition. I am not, Sir, such a big businessman as the Finance Minister or the Chief Minister. I started in business only three or four years ago, but even so, it appears to me that as a businessman I would not have entered into this transaction if, of course, I had any say in the matter. I do not know what the actual position was; Government have not told us that. If they had said that they had no alternative in the matter, that they were absolutely in the hands of the Tramways Company, then, of course, the Tramways Company would have the upper hand because it will depend upon who is the stronger party. I can understand that. "Because I was in a very difficult situation, I tried to make the best of the bad bargain and that is what I have been able to do." But if I am told that this is a business proposition, Sir, I for one am not prepared to accept it and if businessmen have entered into this agreement, all I can say is that God save us from such businessmen!

Now, Sir, there is still another point. I put this proposition to you, Sir. Supposing you are going to purchase something from me 20 years shead and you fix the price today and say that 20 years hence you will give me so much for some of my properties. Then, Sir, it follows that you could see to it or rather you would be anxious to see that the property does not deteriorate, that the property that you are going to buy after 20 years and for which you have already stated a fixed price and which cannot be litered, will be something over which you can exercise some control. Now, Sir, show me any provision in this agreement under which the Government has any control whatsoever over the undertaking or about the management.

Now, Sir, if you would look to—all my references are to the First Schedule—section 2(3), you will find it states: "The Company shall exercise due care and economy in the management and administration of the undertaking and shall take all such steps as shall be reasonably practicable to work the undertaking to the best advantage of the parties to this Agreement." This is all platitude. You tell the Tramways Company, that they must take all sorts of care, but where is the provision that if they fail, you have got any power? Where it is a question of the Corporation or the Secondary Education Board or some other company which probably is run by Indians, then the Government is always suspicious that something is going wrong, that they must have control, that they must put somebody in that body, that penal provisions should be applied against them, but where is all that in this case? Now, what does section 2(d) say? It says "The Company shall maintain in proper condition all physical assets comprised in the undertaking to the reasonable satisfaction of the Government and will permit an authorised representative of the Government on producing his authority once in every year to enter apon the premises of the Company, where any such assets are in existence, to inspect such assets."

Why, Sir, only once a year whereas in other concerns Government can go in at any time? Even then if something is found wrong, where is the power of the Government to force the Tramways that they must rectify matters? I do not see any power that is given to the Government in these provisions.

Then about the Advisory Committe. What my friend Mr. Sibnath Banerjee has said is perfectly true—there is no power given to the Advisory Committee. Section 3(1) says: "(1) There shall be established in Calcutta an Advisory Committee consisting of the following persons:—

- (a) A Chairman appointed by the Government in consultation with the Company.
- (b) Two members appointed by the Government.
- (c) Two members appointed by the Company.
- (2) The Advisory Committee shall consider any matter affecting any proposed extensions of the undertaking, alterations of routes where these involve a realignment of tracks, questions involving labour disputes, the fare schedule of the services carried on by the Company and capital expenditure and communicate their recommendation to the Government and the Company."

Where is the provision that their advice would be accepted? The Company is also not bound by the advice of the Advisory Committee.

Then, Sir, a lot has been said about the 4 per cent, dividend that would be allowed to shareholders and about the Special Reserve Fund that is proposed to be set up and in which will be accumulated any profits accruing after allowing for all those items that are mentioned in the schedule.

But what guarantee is there that anything will accrue there? If you will refer to—this is also very interesting—section 4(I)(e), you will find it says: "Fifthly, accumulating any surplus in a special reserve account the balance of which (after providing for losses, if any)—" it does not say that after everything has been provided for up to (d) only, the balance will automatically get into the Special Reserve Fund, but if there are any losses, that will have to be adjusted against the special reserve fund. The schedule, however, states that before such transfer, however, of a loss against the credit standing in the Special Reserve Account, the Government should be consulted, the final decision on such matter nevertheless being reserved to the Company. Why such softness? Everywhere it is in favour of the company, whereas if it were an Indian undertaking or if it were the Corporation or if it were the Secondary Education Board, then everything would lie with the Government—the final say would be with the Government. Here the final say every time is with the company and the Government has no authority whatsoever.

There is only one other point that I should like to bring to your notice and that is about the term of 20 years. It has been suggested that the company would not have accepted any shorter term. What the Chief Minister has said was also stated in a statement issued by the Chief Minister. It was stated that the position of the investment market was such that a period of less than 20 years would not be considered satisfactory. But where is the question of the investment market here? What is happening? You are taking additional share capital with the consent of the Government and under the agreement the whole of the share capital has to be returned with 4 per cent, interest. In the meantime there is no question of loss of share capital because Government have agreed to its repayment. If any fresh share capital is going to be invested, it will be with the consent of the Government and the whole of the share capital will be returned in full. So, why 20 years? If you return the share capital, this power should be exercisable after any number of years you like. There is no danger to the share capital that may be invested by any of the investors because the Government by this agreement are going to return the whole of that amount together with interest. So, I do not see any reason why we should allow them 20 years. As I read this agreement, I said to myself that I do not see why the Chief Minister and the Finance Minister should have entered into such an agreement. The only reason I could adduce was that they had no other alternative, but I do not know all the facts. I do not know if this agreement can be changed and what power we have for changing this agreement. All that I can say is that this agreement is certainly not in the interest of the country and it is certainly not a businesslike agreement.

8j. HEMANTA KUMER BASU: স্পীকার মহোদয়, মুখ্য মন্ত্রীমহালয় কালকে বলেছিলেন আমবা কি অপবের যে সম্পত্তি, সেই সম্পত্তি আমরা বিনা compensationএ নিতে চাই। তাবতবর্ষ একদিন অপবের সম্পত্তি ছিল, কিন্তু তারতের জনসাধাবণ তাদের নিজেদেব অধিকার সম্বন্ধে সচেতন ও সভাগ হওয়ার ফলেই আজ্ঞ ভারতবর্ষ থেকে বটিশ শাসনের অবসান ঘটেছে।

বছ বংসর ধবে যে foreign বিলাতি ট্রানওয়ে কোম্পানী এই বাংলা দেশে কলিকাতায় ট্রানওয়ে কোম্পানীর কাম্প চালিয়ে যে মোটা টাকা profit করেছে, এখন আমাদের উচিত তাদের কাছে সেই হিসাব চাওয়া যে ''তোমরা এতদিনে কত টাকা profit করেছ, এবং কত টাকা তোমরা ভারতবর্ধ থেকে নিয়েছ্''?

আবার বতে এই ট্রায়ওয়ে কোম্পানীকৈ কোন্ শুকার compensation না দিয়ে, যেখন করে Persian Government সেধানকার Persian Oil Co.কে নিয়ে নিয়েছে, ঠিক তেমনি করে একে seize করে নেওয়া উচিত ছিল। এই agreementএর মধ্যে থেকে মুখ্য মন্ত্রীমহাশ্য বলেছেন ১০ কোটা টাকার সম্পাত্তি আনরা নাকি ৫ কোটা টাকায় পাচিছ। আমি এই থেকে দেখতে পাচিছ যে তার লাভ বাবদ তাদের

খাতে যে চাকা জমা থাকৰে সেই জমা চাকা হবে ২,৭৮,৮৬,২৪০ চাকা আর replacement বাবদ যে টাকা থাকৰে সে হচেছ ২ কোটা ২৪ লক। এ ছাড়া আরও যে কিভাবে তাদের, হাতে এই সম্পত্তির অধিকার থাকৰে ২০ বংসারেরের জন্য-তাহাতে এই বৃটিশ কোম্পানীর হাত থেকে তাঁরা কত টাকার সম্পত্তি পাবেন সে বিমরে বিশেষ সন্দেহ আছে।

জানাদের দেশে বর্ত্তমান গভর্ণনেণ্ট যে নীতিতে কাজ চালাচেছন দেশের জনসাধারণ সেই নীতিব সম্পূর্ণ বিরোধী। দেশের সব লোক, বৃটিশ শাসনেব অবসানের পব তাঁরা এই চেয়েছিলেন যে যে সমস্ত বিদেশী কারবার এখানে আছে, সেই সমস্ত বিদেশী কারবারের মূলধনকে তাঁরা বাজেয়াপ্ত কবে নেবেল। গভর্গমেণেটব পক্ষে যদি এটা নেওয়া সপ্তব না হয়, তবুও জাতির স্বার্থের দিকে লক্ষ্য বেখে তাদের উচিত ছিল যতশীমু সপ্তব এই ব্যবসাকে নিজেদের হাতে নিয়ে নেওয়া। কাবণ এই ব্যবসা একটা বিশেষ লাভেব বাবসা। পুধান মন্ত্রীমহাশয় মযুবাকী ও দামোদর projectএর কথা উরেখ করে বলেছেন যে তাব জন্য টাকা পাওয়া যায় না। কিছু আমার মনে হয় যদি আমরা এই ট্রামওয়ে কোম্পানীকে নিয়ে নেই তাহলে এর থেকে যে লাভ হবে তা থেকে নানা পুকাব constructive, গঠনমূলক কাজ আমরা করতে পারি। আমি কাগজে দেখেছিলাম যে বাংলার গভর্গমেণ্ট একটা loan float করেছিলেন, তাতে এত শীমু টাকা উঠে গিয়েছিল। ভারত গভর্গমেণ্টেব কাছে অনুমতি নিয়ে যদি একটা পাঁচ কোটি টাকাব loan চাওয়া হ'ত, তাহলে এই বকম একটা লাভজনক বাবসার জন্য ভারত গভর্গমেণ্টের কাছ থেকে নিশ্চমই অনুমতি পাওয়া যেত। এবং সাবা ভারতবর্ধ থেকে অতি সহজেই এই মান্সল চেকারী উঠে যেত। অনেকেব মনে সন্দেহ হচেছ যে হেতু এই ট্রাম কোম্পানীর মধ্যে (আমি জানি না) আমাদের ভারতীয় কাবা কাবা এই কোম্পানীর share hold কবেন। সেই হেতু এই agreementটা হয়েছে। যদি আমরা জানতে পাবতাম তাহনে বুঝতে পারতাম কানেৰ স্বার্থে এই রকম বিল আনা হচেছ।

এমন হয়ত অনেক লোক আছেন যাঁদেব হয়ত নাম শুনেছি যারা মোটা মোটা ineome-tax ফাঁকি দিয়েছেন, এই রকম লোক হয়ত এব মধ্যে আছেন। কাজেই জনগাধাবণের সন্দেহ হওবা অস্বাভাবিক নয়।

কুড়ি বছরের জন্য এই contract কবাব কোন অধিকাব আমাদের নাই। অতিশীঘু নির্বোচন হবে এবং সেই নির্বোচনের পর যে একটা নূতন পরিষদ তৈবী হবে এবং তাতে যে মন্ত্রিমণ্ডনী তৈবী হবে, আজ খেকে তাদেব হাত বেঁধে দেওয়া কোন মতেই উচিত নয়। আমি জানি জনসাধারণ চান অতিশীঘু এই ট্রামওয়ে কোম্পানীকে নিয়ে নিতে। এই জন্য ২০ বছর তাঁরা অপেকা করতে মোটেই বাজী নন।

যদি বাস্তবিক বর্ত্তমান মহিমওলীর জনসাধারণের প্রতি কোন শুদ্ধা থাকে তাহলে আপনাব। নিশ্চয়ই এই বিলটি আপনাদের নির্বোচন issues উপর দিয়ে জনমত বিচার করুন।

আমার পূর্ববর্তী বন্ধাব। অনেক কিছু বলেছেন কাজেই এ বিষয় আর বেশী বলতে চাই না। শেষে এইটুকু বলতে চাই যে আমি মনে করি যে এই বিলটি এবানে পুতাব্যাত হওয়। উচিত কিছা জনসাধাবণের মত সংগ্রহ করবার জন্য যথেষ্ট সময় দিয়ে এই বিলটি পুচার কর। উচিত।

Janab Md. KHUDA BUKHSH: Sir, my learned friend Mr. Ghose wanted this information whether this new agreement was subject to modification after discussion in this House. Sir, as I have understood the Bill, it is not, and rightly so. The Bill simply embodies an agreement already entered into by two parties namely the Government and the Tramway Company and it has been brought before this House for the approval of and for ratification by this House. And, when it has been brought before this House it is only natural that the House will go into its merits and possibly its demerits also. But the question before the House is that this is the agreement which has been entered into by the Government of West Bengal on behalf of the people of West Bengal and it is to obtain the ratification of this Parliament of West Bengal that it has been brought here. And now what happens? Either the Parliament gives its approval to this instrument, this document or it throws it out. Now. Sir. coming to (Shaikh MOHAMAD RAFIQUE: What happens if the Bill is thrown out?) If it is thrown out the Government goes out of office and you possibly may become the Government (Laughter).

Now coming to the points raised by the previous speakers I must first of all make my submission that I am neither an economist nor a very great financier and therefore I do not understand the financial implications as fully and as deeply as my learned friends who are both financiers and economists sitting opposite. (Sj. Jvot: Basu: But you are a good politician). I do not know myself but I thank you for the compliment. Sir, member after member has raised this question that the Government does not have any authority over the company. Yes, it is so at the moment because the company is still the same old company. Only an agreement has been entered into between the company and the Government that the undertaking shall be purchased on a certain date, which is 20 years hence. and at a certain price. Whether the price is conscionable or not, whether the price is exhorbitant or not or whether the price is reasonable or not it is for the House to judge but to raise the point what authority has the Government over the company just now is not the point at issue. The funds or rather the investment is the company's and they are running the undertaking as it should be run. But the Government wanted to ensure that if after 20 years the Government then in office came to buy this undertaking on payment of the agreed sum, they received the undertaking as a going concern and with that end in view the present Government has stipulated and the company has agreed to it that £80,000 shall be set aside in each accounting year for renewals and replacements and that is a mandatory provision. Similarly, other sums are to be set apart for other purposes. This has all been done to ensure that the Government in office 20 years hence should acquire the undertaking more or less in the same condition in which it is now and such mandatory provisions have been embodied in the new agreement.

Sir, again about the authority of the Government. The company and the Government have agreed to set up an Advisory Committee with a Chairman agreed upon by both—two members representing the company and two members representing the Government. Supposing the company violated the terms of the agreement, it would not be the Government that would be held responsible or guilty of violation of the contract. An agreement must necessarily be a two-sided affair, and if the Company violated the terms of agreement they would be responsible under the law for such violation. I need not tell the House that if an agreement is violated by any party they become responsible and culpable under the law. My friend Mr. Jyoti Basu ought to know it very well because he practises in the highest court of law in the province.

My friends have said that this Government are trying to saddle the successor Government with something which they should not do, and yet in the same breath they say that they will treat this as a scrap of paper and tear it into little bits to be scattered to the four cardinal winds. Where is the consistency of utterances of this type? If you say, this is an agreement, these are its good points and these are its bad points, and then if you say that you will treat it as a scrap of paper and throw it to the wind, you can do so, when you become the Government. And if you do not honour this agreement made in your name and on your behalf by the Government of the land today—and you will perhaps do that—then of course it becomes redundant and superflous to discuss the agreement at all.

The Hon'ble Dr. BIDHAN CHANDRA ROY: A \*crap of torn paper. But consistency is the bugbear of fools.

Janad Md. KHUDA BUKHSH: Yes, a scrap of torn paper. Now Sir, with the circulation of these papers much of the points raised by my

friend Mr. Charu Bhandari has been taken away. Yesterday I also did feel that members might feel that without these figures they were at a loss to come to the figures whether £87,000 to represent 4 per cent. of the assets of the company and how did the Government come to that figure. It was very natural that they should like to know as to how the Government arrived at these figures and whether 25 times the average of their expenses and their gross earnings represent the figures arrived at by the Government. I thought that his argument had great validity, and I am grateful to the Government that they have circulated these papers which should dispel any doubt that the members opposite might have about the reasonableness of this transaction and of this Bill.

Sj. KANAI LAL DE : সভাপতি মহাশম এই ট্রামওয়েজ বিল সম্বন্ধে জনেক আলোচনা হয়েছে। আমাদের দেশবাসীর পক্ষ থেকে আমাদেব সরকারের আনীত এই বিনটা সমর্থন করব কি না সেই পূণ আমাদের নামনে উঠেছে। যদি এই বিলটা হার। জনসাধারণের পুকৃত কল্যাণ হত, যদি এই বিলের হারা কৃষক-মজুর-পঞ্জা রাজ পতিষ্ঠার পথ স্থগম হত আমর। এর পশংসা করতে পারতাম। যদি আমরা বঝতাম যে এই বিলের হারা বাংলার জনসাধারণের স্বার্থ সংরক্ষিত হচেচ তাহলে আমরা 'এই' বিল সমর্থন করতে পারতাম। কিন্তু দঃখের সজে দেখছি আমাদের ধনতাত্রিক সরকার যার। বরাবর বটিশ সামাজ্যবাদীদের সজে এবং দেশীয় ধনীদের সজে গোপনে ও প্রকাশ্যে মিতালী করছে, এবং দেশের যার। পুঁজিবাদী ও চোর। কারবারী, যারা দেশের দরিদ্রদের রক্ত শোষণ করে নিজের। পৃষ্ট হয় তাদের সেই কার্যে। স্থাবেগ স্থাবিধা দিয়ে আসছেন সেই সরকার যখন একটা अन-স্বার্থের নামে "জনস্বার্থবিরোধী একটা বিল আনয়ন করেছেন আমরা কিছতেই তা সমর্থন করতে পারি না। আজ আমরা দেখছি, যদিও ইংরেজ আমাদের দেশ থেকে রাজনৈতিক ক্ষমতা ছেড়ে দিয়ে চলে গিয়েছে কিন্তু এদেশে তারা ইংরেজের পদলেহনকারী বহু প্রজিবাদীদের বেখে গিয়েছে যারা এখনো পর্যান্ত ইংরেজের স্বার্থ, শোষক শেণীর श्वार्भ, व्यामारम्य रमर्ग तकाग्र ताथरत डैठकुक । এवः এ कथाय शाधरक व्यामि व्याश्ननारमञ्ज बनरू शांत्र य व्यामारमञ् মছিমগুলীর যাঁব। কর্ণধার তাঁব। দ'জন হচেচন বড বড ব্যবসায়ী, স্নতরাং তাঁদের কাছ থেকে কিছু ভাল আশাও করি না। সেই জ্বনাই আমবা দেখতে পাই দিনের পর দিন আমাদের দেশের গরীবের বুকের রক্ত শোষণ হচেচ্ এবং বাংলাদেশ আজ খাদ্যাভাবে অনাহারে জর্জবিত হয়ে পড়েছে আর দিনের পর দিন মৃত্যুর পথে এগিয়ে চলেছে। দেশের এই অবস্থা ! ৫ কোটা টাকা আমাদের যাড়ে চাপিয়ে দিয়ে আবার ২০ বছরের জন্য ইংরাজ ব্যবসাধীদের স্বার্থ পষ্ট করবাৰ উদ্দেশ্যে এই বিল আনয়ন করা হচেছ এবং এই Assemblyর অধিবেশনে আমাদিগকে তা সমর্থন করতে বলা হচেছ। এই বিলের ঘারা বাংলা তথা কলকাতার জনসাধারণের কোন কল্যাণ করা হবে না। এই বিলান আনবাৰ জন্য Assembly যখন চলছে না, সেই সময় তাডাতাড়ি একটা চুক্তিপত্ৰ হয়ে গেল। যদি এর উদ্দেশ্য সং পাকত, তবে বিগত বাজেট অধিবেশন যখন হয়েছিল, তগন পরিষদের সমক্ষে তাঁর। এ বিল আনয়ন করতে পারতেন। আজ তাঁবা বলছেন একটা Agreement করা হয়েছে। সেটা ratify করবার জন্য একটা বিলের দরকার। আমি জিল্পাসা করি যথন বাজেট অধিবেশন চল্ছিল তথন এই বিল্টা আনেন নাই কেন ? আজ এই Assemblyর আয়ুকাল যখন আর ৩।৪ মাসের বেশী নাই, সান্যেই যখন নৃতন নির্বাচন, তখন আমাদের এখানে এই বিল এনে, এটাকে আইনে পরিণত করে ভবিষাৎ বংশধরদের বাড়ে একটা ঋণের বোঝা কেন চাপানো হচেচ আমি তা বুঝতে পারছিনে। বিলের merit সম্বন্ধ অনেক বক্তা অনেক আলোচনা করেছেন, আমি সে সম্বন্ধে বেশী কিছু বলব না শুধু দু'একটা কথা বলতে চাই। কলকাতার যাত্রী সমস্যা এগান-কার traffic ও transportএর অবস্থা এমন গুরুতর আকার ধারণ করেছে যে এখনট কলকাতার টাম ও বাসের উনুতি আরে। বিশেষ প্রয়োজন। কিন্তু আমরা দেখছি কিং গত ১৫।২০ বংসরের মধ্যে ট্রাম কোম্পানি কলকাতার যে সমস্ত রাস্তায় ট্রাম লাইন extension করা উচিত ছিল তা করে নাই এবং এই বিলে সেই extension সম্বন্ধে কোন বিশেষ ব্যবস্থাও নাই বা বাধ্যবাধকতাও নাই। ২০ বংসর পরে বদি তারা তাদের ব্যবসা ছেড়ে দিতে স্বীকৃত হয়ে থাকে তাহলে যতটা সম্ভব extension না করে পারা যায় তারা তাই করবে। অখচ এই কলকাতা সহরে লোকের যাতারাতের এও কট হচেছ এবং ট্রানে ও বাসে এত ভিড় হচেছ বে শীৰই লাইন extend করা অতি প্রোজন। পূর্ববন্ধ খেকে যে লক্ষ লক্ষ লোক কলকাতার পার্পু বন্ধী বঞ্চলে এনে বাস করছে তাদের জীবিকার্জনের জন্য প্রত্যন্ত কলকাতার বার্তারাত করতে হয়। সেইজন্য এই বিলে সর্ভ থাকা উচিত ছিল বে শীবুই কতকগুলি অঞ্চলে অন্তত: এই extension করা হবে। আহি

কতকণ্ঠলি lineএর কথা বলছি-(১) বেলগাছিয়। হরে বারাকপুর। (২) বেলগাছিয়া--শনদ্য। (১) Stand Road—বিবেকানশ বোড, যানিকওঁনা, বেলগু কেনিক্যাল। (৪) রাজাবাজার, কাঁদাপাড়া। (৫)- দিয়ানদা, জোড়ামন্দির। (৬) দিরানদা, চিংড়িহাটী, নাটপুকুর। (৭) দিরানদা, গোবরা, পার্ক সার্কাস। (৮) পার্ক সার্কার বোড, Strand Road, High Court. (৯) গড়িরাহাটা, বাদবপুর। (১০) বেহালা, সংব্রুরাজার। (১১) সালকিয়া, বালি। (১২) হাঙ্ডা, রামরাজাতলা। (১১) হাঙ্ডা বোটানিকাল পার্ডেন। এই সব line করবার সর্প্ত এতে রাখা উচিত ছিল। চুক্তি যা হয়েছে তাতে ৮০ হাজার পাউও রাখা হয়েছে for renewal and repairing কিন্ত extentionএর কোন ব্যবস্থা করা হর নাই।

যদি এই লাইনগুলি অন্তত: ২০ ৰংসরের মধ্যে extend করার ব্যবহা করতে পারতেন তাহলে ২০ বংসর পরে ৫ কোটি টাকা দেওয়ার কতকটা স্বার্থকতা থাকত বলে আমি মনে করি। আজ যখন সমস্ত বড় বড় ব্যবহা ও শিলপ রাষ্ট্রায়ত্ব করবার কথা হচেচ ঠিক সেই সময় আবার ২০ বংসরের জন্য একটা private বিদেশী পুঁজিপতি Companyকে নূতন পাঁটা (fresh lease) দেওয়াটা অত্যন্ত আশ্চর্মান্ত্রনক ঠেক্ছে। আমাদের পুধানমন্ত্রী মহাশয় (জাতীয়তাকরণ) nationalisationএর কথায় আঁতকে উঠেছেন। কিছ তাঁকে স্বারণ করিয়ে দিতে চাই, তিনি যতই আঁতকে উঠুন না কেন পুরাণে ব্যবহা আজ তেজে পড়ছেণ এবং আশা করি তিনি যদি আর কিছু দিন বঁচে থাকেন তাহলে দেববেন যে nationalisation হয়ে গেছে তা তিনি আদিকে রাখতে পারবেন না। এই যে ভবিষাৎ বংশবরদের যাড়ে বিশ বৎসরের জন্য একটা unconsionable agreement চাপানো—এটা তোটের জোরে বোধ হয় তিনি চাপিয়ে দিতে পারবেন,—যার ভোট কি করে সংগ্রহ করতে হয় সে কৌশন তিনি ভাল রূপেই জানেন। তিনি কতকগুলি লোক তাঁর দিকে জমিয়ে রেখেছেন, নাঁরা দেশের স্বার্থের দিকে লক্ষ্য না ক'রে তাঁব দিকে ভোট দেবেন। কিছু অতি অলপ দিনের মধ্যে দেশের এনন অবস্থা আসবে যখন এই চুক্তিটাকে ভেঙ্গে দিতে কিছুমাত্র বিলম্ব হবে না। স্বতবাং আমি এই কথা তাঁকে বলতে চাই যে তাঁর এই চুক্তিটা কেঁড়া কাগজের মতন পরবর্তীর। এসে ছুঁড়ে কেনে দেবে। কাজেই তিনি এমন কাজ ককন, যাতে সেই ব্যাপারটা না ঘটে।

যধন ২।৩ মাস পরেই সাধারণ নির্বাচন হচেচ, তথন এখানে আরে। অনেক বেনী সদস্য আসবেন, তাঁরা বিশেষ ভাবে বিবেচনা ক'রে যদি পুরোজন মনে করেন, তখন তাঁরাই এ বিল আনবেন। স্নতরাং এতটা তাড়াহুড়া ক'রে দু'একটা গুপ্ত জিনিঘ যা আছে তা পুকাশ না ক'রে, তাড়াতাড়ি এই বিলটা যে পাশ কবছেন—এটা তাঁদের পক্ষে ভাল নয়, দেশেব লোকের পক্ষেপ্ত ভাল নয়। তাতে তাঁদের পুতি লোকের একটা সক্ষেহ থাকবে। স্নতরাং এটা তুলে নিন্। (The Hon'ble Dr. BIDHAN CHANDRA Roy: আপনার extension আর হলো না) আপনি থাকতে হবে না।

Dr. 8URE8H CHANDRA BANERJI: বাননীয় শীকার নহোদয়, এই বিলের উদ্দেশ্য ছচেচ যে গভর্নমেণ্ট ইতিপূর্বে ট্রাম কোম্পানির সঙ্গে যে চুক্তি করেছেন সেই চুক্তিটাকে আইনানুমোদিত করা। এই চুব্জির উদ্দেশ্য হচেচ--্রাম কোম্পানি রাষ্ট্রায়দ্ধ, অর্থাৎ nationalise করা। এইজন্য এদিক থেকে বিচার করলে গভর্ণনেণ্টের এই সঞ্চলপ সতাই পুসংশনীয়। কারণ আমরা বিশ্বাস করি শুধু ট্রাম কোম্পানিই নয় আমাদেব **प्राप्त पर वर्फ वर्फ विम्न मार्क्ड एन नव यमि ब्रोट्सेयक करा ना इस এवः मार्ट नव निम्न** छिला प्राप्त । করে চালিয়ে তাদের আয়ের ছারা জাতিগঠনমূলক কাজ না করা হয় তবে আমাদের পশ্চিমবঙ্গের সমস্যা সমাধানের ৰা মঙ্গলের কোন সম্ভাবনা নাই। সেই জন্য রাষ্ট্রায়ত্ব করার এই যে কলপনা একে আমি পূর্ণংগা করি। কিঙ যে ভাবে বাট্রায়ত্ব করাব কথা হয়েছে দেটা জাতীর মঙ্গলেব পক্ষে বিশেষ পরিপত্নী। এবং দেই জন্য আমি এই বিলটার এবং সঙ্গে সঙ্গে এই চুক্তির বোর পৃতিবাদ করছি। এই চুক্তি অনুসারে বর্তমান ট্রাম কোম্পানি এই ট্রাম লাইন আরে। ২০ বছর চালাতে পারবে। গভর্ণমেণ্ট এখনি এই কোম্পানি নিতে পারেন না-কারণ এটার যে দর ধর। হয়েছে, ঠিক করা হয়েছে ৫ কোটি টাকা, সেই টাকাটা গভর্ণবেপ্টের পক্ষে দেয়া অসম্ভব। কিন্তু এই পাচ কোটি টাকা দর কি ভাবে ঠিক হল। কিছুদিন আগে অর্থনন্ত্রী মহাশয় মাননীয় নলিনীরঞ্জন সরকার এক ৰিৰ্তি পুসকে বলেছিলেন বৰ্ত্তমান কোম্পানির মেঁ বৰ জায়গা জমি আছে আর তাদের cost price বা book value या जात नतक 40 per cent. त्यांश कहान c क्लांक ठीका हव। जात श्वानवद्यी बताइक এটा খুৰ লাভজনৰ হয়েছে,---খুৰ কম ধাৰ হয়েছে, বিভিনু পুতিষ্ঠানের সজে ট্রাম কোম্পানির বে চুক্তি ছিল, সেই অনুসারে ৰে চাকা দিতে হয় ভাতে ১১ কোটি চাকা দাম হয়; ১১ কোটিয় জাৱগায় ৫ কোটি দিলে পুৰই লাভ হয়

কিছ আমান বছু দেবেন সেন কাল দেবিয়েছেন যে, যে দাম ওরা দিতে বাচেছন সেটা বিভিনু প্রতিষ্ঠানের সচে কোম্পানির চুক্তি অনুসারে যে দাম হওয়া উচিত তার চেয়েও বেনী। ও নিমে ছিমত আছে। অবন্য আজ গতর্পনেন্ট আমাদের সায়ে কতকগুলি facts and figures দিয়েছেন এবং তা'ছারা তাঁরা অনেক কিছু পুমাণ করতে চাচেছন; কিছ আমরা জানি facts and figures কি করে তৈরী হয়। How they can be fabricated.

এই কোম্পানি অতি পুরাণ কোম্পানি, এটা বছদিনযাবত চলছে। ট্রাম লাইন বছ পুরাণো, আসুবাৰপত্রও পবাণো; তার দাম ক্রমশ: ক্রমে আসছে, বিশ বছর পরে তার দাম কি থাকবে। অবশ্য জ্বমির দর বাডতেও পারে ক্ষাতেও পাৰে। বৰ্ত্তমানে জ্বামির দর খুব বেশী, সেই জন্য অনেকেই কিনতে পারছে না। ভবিষ্যতে কি দাঁডাবে তা বলা ধব শক্ত। আমাৰ মতে, এমন অবস্থায়, এই রক্ষ একটা পুরাণো পুতিষ্ঠানের দাম তার cost price যা ছিল তার থেকে 40 per cent. less অর্থাৎ ১ কোটি ৫৭ লক্ষ টাকাই হওয়া উচিত। অবশ্য স্বাভাবিক অবস্থায় আরো দান কন হওয়া উচিত ছিল। কিন্তু বর্ত্তমানে মূল্য বৃদ্ধিব দিনে কমানোটা আমি ঠিক মনে করি না। তাই বলছি, ০ কোট ৫৭ লক্ষ যদি গভৰ্ণমেণ্ট ঠিক করতেন তাহ'লে সোনা ন্যায়সকত হত। পাচ কোঁটি দাম কবে খুব অন্যায় • হয়েছে। তারপর সর্বকালে এই পাঁচ কোটি টাকা দেবার কথা, এটা আরও dangerous in principle এবং কাভে পৰিণত হবে না। Dangerous কেন ? কাৰণ আমি আগেই বলেছি যে. আমাদের দেশের যদি মঙ্গলসাধন করতে হয়, তবে আমাদের দেশের বর্তমান বাজ্ঞোট অবস্থায় তা হবে না। Dr. Rov খব ৰন্ধিমান মানুদ, কিন্ধ তিনি বহু চেটা করেও এই ৪ বংসরের মধ্যে কিছুই করতে পারেন নি। यि वाःवा (मराग्व सम्भवताथन ठाँव कर्खवा १ य छरव छारक जना ११५ जवनभ्रम कदार १ रहा । (यसन  ${f Dr.~Mossaded}$ ইবাণে করেছেন। Anglo-Iranian Oil Companyর বঙ্গে যে contractই ধাক্ক না কেন্ তিনি তা' দেশের মঙ্গলের জন্য গাহ্য করেন নি। এবং Anglo-Americanএর বিরুদ্ধে দাঁড়িয়ে তাদের দেশ থেকে তাভিয়ে দিয়েছেন। আমাদেব দেশের এই সব ৰড় বড শিলপ যা রয়েছে সেগুলি যদি nationalise কৰতে না পাৰি এবং জাতির মঞ্চলের জন্য নিয়োগ করতে না পারি তবে যত তাল মন্ত্রী হোন না কেন. দেশের মঙ্গল কিছতেই হবে না। এই ৩ বংসরের মধ্যে আমাদের চোপের সামনে একশো কোটি টাকা নিয়ে গেল। আমাদের Damodar Valley Corporation এবং মূর পবিকলপনার জন্য ৪৭ কোটি টাকা আজ পাওিয়া বায় না। আৰও অন্যান্য কাজেৰ জন্য টাকা পাওয়া যায় না অথচ ১০০ কোটি টাকা নিয়ে গেল। এই টাকাটা আমাদের ১৬ অংনা দবকার। ট্রাম কোম্পানিকে ত' পুতি বৎসর টাকা দেবেন, অন্য শিলেপর বেলায কি কববেন ? আপনাবা Tram Companyৰ পাম ঠিক ক'রে পিতে পারেন, কিন্তু তার হারা জাতীর কোন সমস্যার সমাধান হবে না। এই নীতিকে আমনা জাতীর মঙ্গলেব পক্ষে অতান্ত মারায়ক মনে করি এবং তার তীৰ পুতিবাদ কৰি। সঙ্গে সঙ্গে এইও বল্ছি it is impossible of execution আজকে ৫ কোট টাকা দিতে পারছেন না; দামোদর পবিকলপনা, মূরে পরিকলপনার জন্য যে ৪৭ কোটি টাকার দরকার তাই পাওয়া যায় না , এমতাবস্থায় আমি  $\,{
m Dr.}\,\,{
m Roy}$ কে জিন্তাসা করি ২০ বংসর পর টাকা কোণা পেকে পেৰেন। অবশ্য তিনি বলেছেন টাকা কিছু কমতে পাৰে; কিন্তু ভরদা কি ? যে candition laid down আছে আমি তা এখানে পড়তে চাই না। Contract পূবণ ক'বে এবং এখানে সমস্ক ধরুচ চালিয়ে, England 3 Indiaৰ tax দিয়ে পুতি ৰংগৰ renewal, replacement বাবদ ৮০ হাজাৰ পাটও বেধে এবং shareholderদেব ৮৭ হাজার ৫৭ ট্রকা রেপে তারপরে আর কিছু থাকবে না। স্ততরাং এই ২০ বংসর পরে ৫ কোটিৰ কম হৰে তা মিখ্যা ও ভূল কথা। কাছেই এইভাবে হৰে না; কিন্তু পূণু হচেছ কি ভাবে হৰে ং বিভিন্ ांट्रे व्यत्नक किছु बाट्टोबर करत रक्षत्तरक। England धनौ एम, ১৫০ वश्यत शरत यस्तु मूनिया लाघन হরেছে, তার পক্ষে Port ইত্যাদি অনেক কিছুই nationalise করা সম্ভব হয়েছে। আমাদের দেশ ১৫০ ংসর শোমিত হবার পর আমাদের হাতে কিছুমাত্র টাকা নাই; এখন যদি আমরা রাষ্ট্রারম্ব করতে না পারি তবে वान करन करन ? এन: এইভাবেই मन म्मटनेई हरम गारुष्ठ । এक हरछ भारत्र shareholderस्मन यिम <sup>। বা</sup>য় যে তোষাদের share আমাদের হাতে নিরাপদ আছে এবং আমরা এই company ভালভাবে চালাব এবং কোম্পানির যদি লাভ হয় তবে লভাংশ দেব। কিন্তু তাহ'লেও রাষ্ট্রায়ত্ব হয় না, nationalisation ৰে না, কাৰণ Governmentই Managing Agent হয় এবং shareholderরাও খেকে ান। অনাটা হচেছ, পুথমে বা বলেছিলান companyর দর ঠিক করা এবং এই ৩ কোটি ৫৭ লক টক। স্বামার মতে ৩০ বংগরে দেব, স্বর্বাৎ পুতি বংগর ১১ লক্ষ ৩ হাজ ক'রে দিয়ে ৩০ বংগরে পোর করে।

এবন company নিৰে নেব। ভাহ'লে কোম্পানিৰ লাভ বা হবে তাৰ বেকেই টাকাটা দেওৱা বাবে। এতে व्याचारमंत्र व्यानक होका त्वैरहिनिद्ध रमटनंत्र मकनगाङ्गन हरन । कान Dr. Roy এकथा वत्निहित्तन त्व, अहे। Constitution allow करत मा। Dr. Rev Constitution allow करत ना बरन section 31 वह २ नः शांत्राहि भएएएएन, किन्न मः १४४त विषय Dr. Rov मारून करत मनहो भएएन नि। তিনি তথু Chief Minister নন, তিনি হচেছন Leader of the House, his function is to lead the House, he is our leader। তাঁর উচিত ছিল আমাদের সব কথা বলে দেওয়া। তিনি সবটা না পড়ে আমাদের তথ বিভ্রান্ত করেছেন। আমি পড়ে শোনাচিছ "No property shall be taken possession of or acquired unless the law provides for compensation for the property taken possession of" এটা তিনি বলেছেন, কিন্তু শেষের একটা অংশ যেখানে বলা আছে either fix the amount of compensation or specify the principle এটা তিনি উল্লেখ করেন নি। কোন নীতি অনুসারে compensation দেওয়া হবে? নীতিটা আমাদের বোঝান উচিত ছিল। কিছু অন্ধেকটা পড়ে আমাদের মনে ভল ধারণার সাষ্ট্র করার অধিকার তাঁর নাই। আমি অত্যন্ত দংখের সহিত বল্ডি নীতিগত দিক থেকে এটা ঠিক হয় নি। তিনি তো শাহস করে বলতে পারতেন constitution u provide করুক আর নাই করুক, আমি এটা করব। এটা করলে তিনি একটা ইতিহাস সৃষ্টি করতেন এবং আমবা তাঁকে ধন্যবাদ দিতাম। এউখা আমি পর্বে বছৰার বলেছি এবং এখনও বলছি যে আমার কথা ভানলে বাংলা দেশে একটা ইতিহাস গ'ড়ে উঠত। विष्टांत, स्थाभरान हें ट्यानि नाना रमर्टन कमिमात्री भवा এইভाবে ताष्ट्रीयह कता हरसर्छ এवः उक्त कना वर्छ वर्छ कमिमावत्र। Supreme Court, High Courts नानित्र करबिছरनन। किन्न ठाव करन amendment of the constitutionই হয়ে গিরেছে। যদি আমরা Tram Company দতাই nationalise করতে চাই তাহ'লে এত টাকা দাম দেওয়া অন্যায় মনে করি। আমরা ৩ কোট ৯০ লক্ষ টাকা যেটা Book price শেচী পৃতিবংসৰ ১১ লক্ষ ৯০ হাজাৰ ক'বে দেব, এইভাবে যদি কৰা হয় তাহ'লে ভাধ Tram Company क्न, जनागा जतक जिनिष त्यम Electric Supply इंग्डापि जामवा शास्त नित्व शाहि। जनागा private owned industries औं अने अने काल निरंद ए थर आरवन होतान यो कि नाit is before the Government তিনি যা বলেছেন there is absolutely no reason—industry গুলি কেন ভালভাবে চালান যাবে না? In this way I may take over the Jute industry I may take over the Electric Supply industry, I may take over both as to economy and as to quantity যদি Governmentএৰ মনে অনা কিছু থাকে তাহ'লে পরিষ্কারভাবেই ৰলা উচিত আমন্ত nationalise করৰ না, let the company run it, but nationalisation is the only practicable and possible way। যা বিহাৰ কৰেছে, যা C.P. করেছে সেইভাবে আমরা যদি করি তাহ'লে it will save the nation এবং আমবা জাতিব ও দেশেৰ অনেক মজলসাধন করতে পারব। এ না হ'লে জাতির অবনতিব পথ আবে। উন্যুক্ত হবে। এই জন্যই আমি এই agreementএব বিরোধী এবং এই বিলের তীবু পুতিবাদ করছি।

8j. J. C. GUPTA: Mr. Speaker, Sir, as there is a reference by my triend Sj. Deben Sen to the tribunal over which I presided, I feel I ought to place my ideas before the House on the Bill.

Sir, there has been criticism from two different angles. First, by those who believe that no compensation should be paid. One need not quarrel with the view of those who are against payment of compensation and they are entitled to criticise the Bill. But as we have got to work within the framework of the present Constitution, we as legislators cannot but comply with the requirements provided in the Constitution and therefore we cannot agree to the suggestions and arguments of those who believe in nationalisation without payment of compensation.

Coming to the second point, the argument has been two-fold: the first refers to the time of purchase and the second refers to the purchase value. Here again the Congress party whose programme has already been issued—just as the Communist party member says—is bound to comply with that

programme as has been laid down by the party. Similarly the Planning Commission has said that the little money that is available by loan or from revenue ought to be employed in new ventures and not in acquiring the enterprises that are being run by either a foreign capitalist or an Indian capitalist or by somebody else. Therefore I feel that from that point of view the Planning Commission's recommendation has much force in it and we need not also attack the present Bill from that point of view on that score.

Then comes the question of the payment of the purchase money. Yesterday when I listened to the vehement arguments put forward by Sri Deben Sen, it made me think and I made an enquiry. Today the Government have circulated the figures which show that the arguments that it was 9 per cent, and not 4 per cent, will not hold water. It was that the sum of £87,000 represent a 4 per cent, return.

Now, the whole question is this: should we allow that or should we not? As I have already said, we ought not to divert the fund that may be available for many surgent national developments that are in front of us. (Sj. Jyori Bast: Like the police and the army!) I have never been a champion for increasing the cost of administration, and when an argument is made that the cost of administration should be lessened I will always support that. But the question is whether we should employ the funds available immediately for purchasing a running undertaking.

Now, we have got to think of another thing. This Tramways Company is being run by a private body. It does not matter who is running it. We have got to look at it from the point of view whether the innumerable passengers who travel by tramways think that the amenities offered by them are rotten and that they must change hands, and then there would be a great argument in favour of nationalisation, it I may say so. Sir, I suppose I can say without fear of contradiction that of all the Tramway Companies in India, the Calcutta Tramways Company can legitimately claim to be one of the best services.

Then in the next place, admittedly, from the travelling public's point of view it is being run efficiently. I think that we ought not to devote our slender resources available, for immediate purchase of Tramways. From that standpoint we ought to think that the deferring or the purchase and allowing the Tramways Company to be run by the company for some time to come in the hope of having to pay a lesser price on account of accumulation of profits is a thing which has much force.

Then the next thing that I wish to say is this. My friend Sj. Bimal Comar Ghose has said that it seems that the company has the whip hand as the financier. That is true. He has really touched the crux of the problem. What is the present position? There are seven contracts with seven different bodies and the time for exercise of the option also falls on different dates. Therefore, there is no chance of our acquiring it if the Tramways Company stood firm on the contracts. And again I say that the sanctity of the contracts will not be allowed to be overridden till the courts function. Therefore I say, they have got the whip hand and the Government should try to get over this initial difficulty of doing away with all the seven contracts with seven different parties which give them powers to exercise the option at different times. That is one thing that has been done and that is one advantage which I find this agreement confers on us.

The next criticism is that there is a final say of the company. True, I scanned the terms of the agreement.

SJ.DEBENDRA NATH SEN: What is the date of option?

8j. J. C. GUPTA: The date of option is different in different contracts.

The Hon'ble Dr. BIDHAN CHARDRA ROY: No. it is the same date.

8]. J. C. GUPTA: Now, the next thing about which I would like to say is with regard to the point whether the Tramways Company has the final say. Now, Sir, it stands to common sense and reason that when you entrust the administration to a company, you cannot interfere too much with their daily administration. Now, the powers of the Advisory Board have been defined, but the question has been raised as to what will happen if they do not agree on a particular matter. The answer is in the last clause. The arbitration clause says that if there is any difference of opinion over any matter, then arbitration has got to be held and according to the arbitration clause, the Arbitration Board's decision will be binding.

Sir, you will excuse me if I add a personal note here. I have had to deal with many companies in connection with many labour disputes. With regard to this Tramways Co., when I dealt with them in 1946, there were several discussions, but I might tell you that after getting their balance-sheets for the previous three years when I explained to them that they ought to accede to the demands of the labour, this company said that having regard to my opinion they would do their best. They cabled over to London and in two days' time the London Board acceded to my suggestion and I was able to bring about—which is rare in these labour disputes—an agreed solution in which both the labour and the company agreed and I could get them to agree to it. Having regard to the difficulties that stand in our way, I hope and trust that the Advisory Board would be able to tackle with the problem without difficulty and get decisions in favour of the Government.

As has been said by some speakers, the agreement has been made and we here have been requested to ratify it. Certainly all the arguments against it are to our benefit. We have been very careful regarding these things, but in view of the insurmountable difficulty of seven different agreements which would have made it impossible—if the company did not agree to such an agreement—to acquire the whole line of the Tramways Company in the very near future, I would request this House to agree to this Bill and pass it.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I thought the members opposite would give me thanks for affording a platform for making election speeches and they would be the first to congratulate me that I have provided them with this opportunity.

As usual, Sj. Debendra Nath Sen is always suspicious as to the motives of the Government—why is it that this Government, which is going to go out of office which is absolutely certain, taking such interest in this matter and concluding this agreement, what is it that lies behind it?

I shall address myself just now to the proposition of the circulation of the Bill without going into the merits of the different points raised because I know they will come forward again in course of the amendments.

Sir, the whole point is that the Calcutta Tramways Company has got contract with six different bodies which will all lapse—I do not think Mr. Gupta was correct—on the 1st January, 1952. As we stand today here, the contract says that if any organisation is to take over the company, they have to give one year's notice which they have not done. Therefore if you throw away this Bill, what happens is that they go merrily along for

another 7 years without your being able to touch the company. Therefore, I felt that it was essential and decessary that we should bring this question before the House in order that the House might realise the exact position and give to the agreement its blessings and acceptance.

The second point is about the reason of the urgency. I am not afraid of going out of office if the members who are elected in the next election do not choose to put me in office, but I say this "Do not count your chickens before they are hatched".

The next point on which I want to speak is this. My friend Dr. Banerji has said that I have been trying to suppress certain information. I am sorry that he has been rather inattentive when I raised the question of Constitution I simply was answering the question of taking over the concern for a very small sum. It is only in that connection that I said that the Constitution prevents us from taking over anything without paying compensation. Now, we talk glibly-let us scrap the Constitution, let us not consider what the Constitution says about compensation-but the point is that on the next day the High Court and the Supreme Court will have to take into account the Constitution. Therefore it is not that I am afraid of the Constitution or you are afraid of the Constitution but that you will be bound by the findings of the Court which has got to submit to the provisions of the Constitution. It is in that scheme and it is in that connection that I quoted the Constitution. I am perfectly aware of the amendment which Dr. Banerji has given of paying them in small instalments and I am also perfectly aware of the provision of the Constitution that it can provide the means of paying back. But the point my friends have all forgotten is this that it is a question of one agreement supplementing another five or six agreements. If you do not choose to agree, you need not agree, but it you choose to agree you must agree according to certain conditions and it takes two people—two parties—to agree.

My friend Mr. Bimal Comar Ghose raised the question of Secretary of State's agreement. Probably he should know—I thought he did know—that under the Independence Act all the agreements which the Secretary of State entered into had devolved upon the Government of Bengal. So, he need not bother about that.

So, the whole proposition is this. We have got several agreements now subsisting which will expire on the 1st January, 1952. Now, about the taking of this concern no notice has been given, as provided for in the contract. Therefore, the only thing that we tried to see was what we could make out of the present contract and whether we could take away the present contract and provide for it another contract which would be more beneficial to the people of this province.

There are friends here who are very keen upon extension of the tramway service and yet they are very keen to scrap the agreement so that no extension of the tramway service might occur. This is a contradiction in terms—this is a contradiction of thoughts and ideas which I do not follow much.

I will not go into the facts and figures which have been criticised by my friend Mr. Debendra Nath Sen and others. I say he is entirely wrong. He does not know the figures or he has not read the figures in the proper way. The terms of the Agreement give you the conditions, what constitutes the income and what constitutes the gross expenses so far as the contracts are concerned. He ought to have made a distinction but my friend Mr. Bimal Comar Ghose has fallen into that error. He ought to make a distinction that they are not making an average profit of eight million pounds a year.

Do you think that they will be satisfied with £87,000 only as dividend it they were really making a profit of \( \beta \) million pounds in a year? a dividence of about 1 per cent. only? He should have at once known it. He as a keen businessman should have at once seen something in it if he had only read through it. I do sympathise with him. Probably he did not have the time to go through the papers. The figures are given only as provided for in the various contracts that are before us. Therefore the whole proposition boils down to this. Shall we circulate this Bill or shall we not circulate this Bill? If it be a new concern about which the people of this country knew nothing I would have fully let the people give their opinion. Supposing we were living in the year 1818 when there was no tramway when people did not know what tramway was what were called track trams and so on it might have been necessary for us to find out what the people think about it. I am positive that every man in the whole of India, in the whole of Bengal and in Calcutta knows what a tramway company is like. Therefore it is not necessary for us to circulate this Bill from that point of view. The next point is that you might circulate it in order to find out whether the time is ripe for us to experiment it ourselves and I feel that there is an honesty of purpose in that point of view. Of course they have the right to say "we won't pay anything" although it might not be as a result of any agreement. But you can certainly insist on that—"we shall not pay".

People have talked about Persia, China and Russia I sometime feel amused when I hear people quoting examples of other countries. They talk of self-sufficiency, they talk that they are free and independent people, that they are free nationals and so on, at the same time quoting examples of other countries. I do not belong to that category of men. I am not afraid of making experiments in new lines. I am not afraid of running a tramway concern or even a railway concern, but I am certainly prepared to look to priority. I can go in for deep-sea-fishing which has been experimented upon by the Government of India for the last 25 years and go into it whether we can do it or not. I can probably establish a penicillin factory, because it is a thing in which no experiment has yet been made here. I am not afraid of making experiments, but here is a company which is being run under a series of contracts. Therefore the whole question is whether we shall do anything at the present moment or should sit idle and let them go on making profit for 7 years. My triends opposite always think that other people have larger banking account than theirs and that they are making enormous profit and all that. But why should we allow them to make that enormous profit any more and why should we not limit their dividends to 4 per cent. The question whether at 4 per cent, it comes to £87,000 will be discussed when the proper time comes—during the various amendments on this point. The present position is that here is a company which now enjoys contracts with 5 or 6 bodies, which they will go on ensuring and enforcing for the next 7 years. Are you going to do anything to take over the company at the present moment? The next question—a very pertinent one— is that although the company is being paid 20 years hence and although we are not paying anything at present and are not taking any financial responsibility, yet we have made the company agree to limit their dividend to what they consider to be very reasonable and they have also agreed to keep their concern in a particular condition. People may say "What force is there in that agreement". Mr. Gupta has shown that the agreement is on both sides. If they do not keep the agreement, I am at liberty at any moment to call off the agreement or to submit the agreement to an arbitration whenever necessary and we may have to go to a court and Mr. Gupta may be speaking for us or for the company as the case may be. Therefore my point is that we have got them

to agree to the formation of an Advisory Committee. It might be said "What is the fun in having an Advisory Committee without any control". I say there is enough control and if the men who would be in the Advisory Committee are not merely human beings in human shape but men with brains they would be able to exercise control over the company. They would insist on the company at every step to keep the concern in the condition in which the agreement has been made for the purpose of being sold at a particular price after 20 years. Mr. Charu Chandra Bhandari has asked about the amount that is provided for. We have circulated the figures and they will show that the highest figure which they have spent in an year for renewal and replacements is £61,000. We have also provided £87,000 at the bottom of the page, £337,000 is also there in that fund for renewal and replacements. Therefore we feel that provided we play our part very well, provided we have our representatives who have got brains that grey matter sufficiently—there is no doubt whatsoever that the Advisory Committee will be able to influence the company. There is another great control. My friend Mr. Kanai Lal De is keen upon extension of service to different places in which he is interested. Well, he thinks that the extension can be made without any expenditure. I do not know how this can be done. Probably he is a bigger industrialist than myself. He might be able to extend the tramways service without asking for further money. But what we have told the company and we have insisted on them is that "If you increase the service you shall not add to the capital which has been fixed today and which will be paid in 20 years time and make us pay more for further extension and if you require additional capital you should take previous consent and approval of the devernment." Therefore we have not only control over them but also we have control to direct them as what to do and what not to do. We have told them that Hey are entitled to increase their services in certain directions and raise money provided it is for the benefit of our people. As I said in the beginning in introducing this Bill and I also repeat it now that my test for nationalisation is not whether a man in charge is black, brown or white but my test is whether he is working in the interest of the people. My friend Mr. Jyoti Basu has quoted a letter—a secret letter—secretly communicated to him that the Congress agreed to the partition on the condition that they will maintain the British industries in this country. I am not aware of any such secret document. I give the lie direct to any suggestion that myself or my colleagues in the Cabinet has ever known of such a suggestion. I had gone there entirely as a business man purely from the business point of view. I am not interested who is the shareholder of the Tramways. I have nothing to do with the shareholders. I am dealing with the company-with a joint stock company-as a concern-which works as a legal entity and I ask the company that if they do not fulfil that agreement I am also not bound by it and in that case my friend Sj. Sibnath Banerjee's contention may come in. Supposing as happened in the case of Baraset Basirhat Railway in connection with which I suppose. he has made a valid attempt to congratulate me for the acquisition of the Baraset Basirhat Railway, I say my approach is entirely the same here as there. If I find at any moment that they are not doing things which they have agreed to do, it will be up to us to approach the Government of India and have an Ordinance and take over the concern from the present management. But so long as we have got the agreement and I find that the management is going to keep the concerr in proper order and listen to the Advisory Committee's suggestion that they will follow the financial proposals laid down in the agreement, I for one do not see any reason why we should not accept the agreement. I therefore oppose wholeheartedly all the motions for circulation of the Bill for eliciting public opinion thereon.

(At this stage the House was adjourned for fifteen minutes.)

#### (After Adjournment.)

The motion of Sj. Jyoti Basu that the Calcutta Tramways Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 15th of March, 1952, was then put and lost.

The motion of Sj. Debendra Nath Sen that the Calcutta Tramways, Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 31st of December, 1951, was then put and a division taken with the following result:—

#### Ayes-15.

Abdul Aziz Ansari, Janab Mohammed Badrudduja, Janab Syed Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra

Bose, Srijukta Bivabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Mohammad Rafique, Shalk Sen, Sj. Debendra Nath

#### Notes-49.

Abdus Shokur, Janab
Banerjee, 8j. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, \$j. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, 8j. Radha Nath
Das Gupta, \$j. Khagendra Nath
Dass, 8j. Kanailai
Dolui, 8j. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Gayen, 8j. Arabinda
Gomes, Mr. D.
Gupta, 8j. J. C.
Haidar, 8j. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Kased Ali, Janab
Mahanty, 8j. Charu Chandra
Mahtab, 8j. Uday Chand, Maharajadhiraj
Bahadur of Burdwan.
Majhi, 8j. Nishapati
Majumdar, The Hon'ble Bhupati
Mai, 8j. Iswar Chandra

Mallick, SJ. Ashutosh
Mandal, SJ. Annadaprasad
Mandal, SJ. Bankubehari
Mandal, SJ. Bunkubehari
Mandal, SJ. Wrishna Prasad
Mandal, SJ. Ownesh Chandra
Misra, SJ. Sowrindra Mohan
Mookerji, The Hon'bie Kalipada
Muhammad Qumruddin, Janab
Muharruff Hossain, Janab
Naskar, SJ. Ardhendu Sekhar
Naskar, The Hon'bie Hem Chandra
Panja, The Hon'bie Jadabendra Nath
Pentony, Mr. L. R.
Platel, Mr. R. E.
Poddar, SJ. Anandilal
Pramanik, SJ. Rajani Kanta
Rafiuddin Ahmed, The Hon'bie Dr.
Roy, The Hon'bie Dr. Bidhan Chandra
Roy, SJ. Jajneswar
Roy Sarkar, SJ. Birendra Nath
Roy Singh Sarker, SJ. Satish Chandra
Sen, The Hon'bie Prafulia Chandra
Sen, The Hon'be Prafulia Chandra
Sen, The Hon'be Prafulia Chandra
Sen, The Hon'be Prafulia Chandra
Sen, The Hon'ble Prafulia Chandra
Serajuddin Ahammad, Janab
Shamsul Hug, Janab

The Aves being 15 and the Noes 49, the motion was lost.

The motion of Sj. Charu Chandra Bhandari that the Calcutta Tramways Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 15th November, 1951, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that the Calcutta Tramways Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 1st of November, 1951, was then put and lost.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the Calcutta Tramways Bill, 1951, be taken into consideration, was then put and a division taken with the following result:—

#### Ayes-51.

Abdus Shokur, Janah Banerjee, Sj. Sushii Kumar Barman, The Hon'ble Syama Prasad Bhattacharyya, Sj. Shyamapada Chaudhuri, The Hon'ble Rai Harendra Nath Das, Sj. Radha Nath Das Gupta, Sj. Khagendra Nath Dass, Sj. Kanaliai
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem All Mirza, Janab Shahibzada
Kawan Jah Salyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahanty, Sj. Charu Chandra
Mahanty, Sj. Charu Chandra
Mahaha, Sj. Uday Chand, Maharajadhiraj
Bahadur of Burdwan.
Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Mailick, Sj. Ashutosh
Jandal, Sj. Ashutosh
Jandal, Sj. Annadaprasad
Mandal, Sj. Bankubehar

Mandai, Sj. Krishna Prasad
Mandai, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mookerji, The Hon'ble Kailpada
Mudassir Hossain, Janab
Muhammad Qumruddin, Janab
Muhammad Qumruddin, Janab
Muhammad Qumruddin, Janab
Muskar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pentony, Mr. L. R.
Platel, Mr. R. E.
Poddar, Sj. Anandilal
Pramanik, Sj. Rajani Kanta
Rafuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Sen, The Hon'ble Prafulla Chandra
Serajuddin Ahammad, Janab
Zaman, Janab A. M. A.

#### Notes-12.

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra

Bose, Srijukta Bivabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Ghose, Sj. Bimal Comar Sen, Sj. Debendra Nath

The Aves being 51 and the Noes 12 the motion was carried.

#### Clause 1.

Sj. DEBENDRA NATH SEN: On a point of information, Sir. This agreement makes frequent reference to existing contracts. We have not seen those contracts. Yet on the basis of those contracts, some controversial assumptions have been made. We would like to have copies of those contracts.

There is another point Today some papers have been circulated and some figures have been given, apparently drawn from the balance-sheets of the company. I have got an Indian Year Book here. I find that there are discrepancies. So, we would like to have copies of those balance-sheets for the years which have been covered by this calculation and unless we get this information it is difficult for us to carry on this discussion and to find out whether the materials submitted before us are correct or not.

Mr. SPEAKER: The demand should have been made at the consideration stage.

Secondly, it is for the Government to supply the information if they so desire. We are now on clauses. Therefore, I cannot say anything with regard to this.

Dr. SURESH CHANDRA BANERJI: I beg to move that in clause 1, in line 1, after the words "Calcutta Tramways" the word "Nationalisation" be inserted.

Sir, আমাদের উদ্দেশ্য হচেছ Calcutt । Tramways Companyকে এখন রাষ্ট্রায়ন্ত করা। সেই জন্য এই বিলের নাম বে উদ্দেশ্যে করা হচেছ সেই উদ্দেশ্যটা এই বিলের নামের মধ্যে ঠিকমত পরিক্ষুট হয়ে চিঠে নাই। "Calcutta Tramways Bill" বলাতে মানে কিছুই হব নাই। যদি বলা হত "Calcutta Tramways Nationalisation Bill" তবে পরিকারভাবে বোঝা যেত। কারণ আমাদের Calcutta

Tramways Companyক nationalise করার উদ্দেশ্যে এই বিল আনা হরেছে। এবানে ইচছ। করলেই এই nationalisation কবাটা insert করু বেত। কেন না আবরা একটা whole scheme, Government যেটা agreement করেছেন, তাতে Company কবনও nationalise হর না এবং কবন হবেও না। আবরা বে scheme দিচিছ সেই scheme অনুসারে কাজ করলে একমাত্র Calcutta Tramways Companyকে Government এর পক্ষে রাষ্ট্রায়ক করা সন্থব। আর Government বলি সেই অনুসারে কাজ না করেন তাহলে Government বে নাবই দিন না কেন তাতে কিছু আসে যার না। অতএব তিনি যদি সত্যিই Companyকে nationalise করতে চান তাহলে আযার যে amendment সেটা অনুগ্রহ করে গ্রহণ করন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I oppose the amendment. First of all, if I may say so with all respect to my friend, I should say it is bad English. There is no meaning in naming the Bill as the Calcutta Tramways Nationalisation Bill. This Bill has been brought forward simply for the purpose of ratifying the agreement between the Calcutta Tramways Company, Limited, and the Government of West Bengal. So far as the idea of nationalisation is concerned it is there in the Bill and it empowers the Government of West Bengal to acquire the undertaking from the Calcutta Tramways Company, Limited. At this stage it is not nationalisation. For the reasons given, Sir, I oppose this amendment.

The motion of Dr. Suresh Chandra Banerji that in clause 1, in line 1, after the words "Calcutta Tramways" the word "Nationalisation" be inserted was then put and a Division taken with the following result:—

#### Aves-11.

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra

Bose, Srijukta Bivabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Sen, Sj. Debendra Nath

## NOE8---53.

Abdullah, Janab S. M. Abdus Shokur, Janab Banerjee, Sj. Sushii Kumar Barman, The Hon'ble Syama Prasad Bhattacharyya, Sj. Shyamapada Chaudhuri, The Hon'ble Rai Harendra Nath Das, Sj. Radha Nath Das Gupta, Sj. Khagendra Nath Dass, Sj. Kanailai Dolui, SJ. Harendra Nath Dutt-Mazumdar, The Hon'ble Niharendu Ganguli, 8]. Bepin Behari Gayen, Sj. Arabinda Golam Hamidur Rahman, Janab Gomes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem Ali Mirza, Jani Janab Shahibzada Kawan Jah Salyid Khuda Bukhsh, Janab Md. Mahammad Kased Ali, Janab Mahammad Sayeed Mia, Janab Mahanty, Sj. Charu Chandra Mahaty, Sj. Uday Chand, M dhiraj Bahadur of Burdwan. Majhi, Sj. Nishapati Majumdar, The Hon'ble Bhupati MaharajaMal, Sj. Iswar Chandra
Mallick, Sj. Ashutosh
Mandal, Sj. Annadaprasad
Mandal, Sj. Krisina Prasad
Mandal, Sj. Krisina Prasad
Mandal, Sj. Krisina Prasad
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab
Muhammad Qumruddin, Janab.
Murarka, Sj. Basantial
Musharrufi Hossain, Janab
M-ekar, Sj. Basantial
Musharrufi Hossain, Janab
M-ekar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pentony, Mr. L. R.
Platel, Mr. R. E.
Poddar, Sj. Anandilal
Pramanik, Sj. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Roy Singh Sarker, Sj. Satish Chandra
Serajuddin Ahammad, Janab
Shamsul Huq, Janab
Zaman, Janab A. M. A.

The Axes being 11 and the Noes 53 the motion was lost.

The question that clause 1 do stand part of this Bill was then put and agreed to.

### Clause 21

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 2(c), line 1, for the word "transfer" the word "nationalisation" be substituted.

I beg also to move that in clause 2(c), in line 4, after the words "other part" the words "with a view to nationalisation" be inserted.

Sir, Calcutta Tram Companys সঙ্গে যে agreement তার একটা কারণ হতে পারে—with a view to nationalisation. এটাই যদি object না হয—তবে so far as we are cocerned এই Bill আনার কোন মানেই থাকে না। সেই জন্য আমি add করতে বলছি "with a view to nationalisation". আমি আর কিছু বলতে চাই না।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I oppose both the amendments. As I said before, the intention of the clause is to empower the Government of West Bengal to acquire the undertaking of the Calcutta Tramways Company. The idea is clearly there about nationalisation. Therefore I oppose both the amendments.

The motion of Dr. Suresh Chandra Banerji that in clause 2(c), line 1, for the word "transfer" the word "nationalisation" be substituted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 2(c), in line 4, after the words "other part" the words "with a view to nationalisation" be inserted, was then put and lost.

The question that clause 2 do stand part of the Bill was then put and agreed to.

#### Clause 3.

Dr. SURESH CHANDRA BANERJI: I beg to move that in clause 3, line 1, for the word "transfer" the word "nationalisation" be substituted.
এ সহকে আমি আর কিছু বলতে চাই না।

(The motion was put to vote and a division was called. The division bell rang as usual and after that the following discussion took place.)

- Mr. SPEAKER: Dr. Banerji, I notice that this motion is out of order for this reason that the amendment with regard to clause 2(c) for changing the word "transfer" to "nationalisation" has been negatived by the House. Now in clause 3 here the same thing has been repeated. Naturally it is consequential. Once the House has decided that the expression "transfer agreement" will remain in the clause, it becomes consequential that no such subsequent change can be made.
- 8j. SIBNATH BANERJEE: Sir, I fail to see any logic in it. Whatever it may be, once a motion has been moved, it is the property of the House and then it has been put to vote and a division has been called. At this stage I do not think even the Speaker can rule it as out of order. On these grounds, Sir, I maintain that this motion cannot be ruled out of order at this stage. The first amendment was not carried, and the second amendment has not been declared out of order because it is not illogical. It is transfer all right and it goes to somebody else. It may be a gift or it may be a confiscation. It may be nationalisation. Therefore I am of the opinion that Dr. Banerji's amendment is quite in order.

Mr. SPEAKER: The point is so obvious that if once Dr. Banerji reads clause 2 and clause 3 and gives the slightest attention to it, he will find that it is out of order. Clause 2(c) defines the words "transfer agreement". You want to substitute the words "nationalisation agreement" in place of the words "transfer agreement". Now, in clause 3 the words "transfer agreement" have been used. If you retain the words "transfer agreement" in clause 2(c) and if suppose this motion for substitution of the words "nationalisation agreement" is passed, then it would be meaningless. The definition clause defines "transfer agreement" whereas you use the words "nationalisation agreement" which is not defined anywhere. Therefore, I say that this is out of order.

With regard to the next point that this question should have been decided when the motion was first moved, I admit that the question of order has to be decided as soon as the motion is about to be moved. It is quite true that this point was not rather pointed out to me by any of the parties that it was out of order. It is when I put the words in the proper place and changed the Bill accordingly in my own hands that I found that it was absolutely meaningless and, therefore, out of order. I am not at present in a position to say that once a motion has been allowed to be moved before the House, whether at a later stage if the Speaker finds that it is out of order he can declare it out of order or not. I cannot now give a decision authoritatively on this point, but I am inclined to feel that the Chair has always got the right to say at any stage that a motion is out of order. So, without creating any precedent I hold that it is out of order and no good purpose will be served by taking it to a division.

Dr. SURESH CHANDRA BANERJI: Sir, if you take the two together—nationalisation agreement—an agreement with a view to nationalisation, if you read in that way, then your interpretation does not stand, if I may say so.

Mr. SPEAKER: This is obvious—the words "transfer agreement" have been defined meaning thereby that wherever the words "transfer agreement" have been used, it will mean this—it is defined there. Thus in the definition clause the words "transfer agreement" have been defined, but in the body of the Bill you are using "nationalisation agreement"? Where is the definition of "nationalisation agreement"?

Dr. SURESH CHANDRA BANERJI: I want to say that in place of the words "transfer agreement" the words "nationalisation agreement" will come and it will mean—

Mr. SPEAKER: I cannot allow you to argue the matter further. I am convinced that it is out of order.

The question that clause 3 do stand part of the Bill was then put and a division taken with the following result:—

#### AYE8---51

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushii Kumar
Barman, The Hon'ble Syama Prasad
Bhattaoharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass, Sj. Kanailal
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari

Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khuda Bukheh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Mahanty, Sj. Charu Chandra
Mahtab, Sj. Uday Chand, Maharajadhiraj Bahadur ef Burdwan.

Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mailick, Sj. Ashutosh
Mandai, Sj. Annadaprasad
Mandai, Sj. Bankubehari
Mandai, Sj. Krishna Prasad
Mandai, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mockerjee, The Hon'ble Kalipada
Mudassir Hossain, Janab
Murarka, Sj. Basantlai
Musharrufi Hossain, Janab
Naskar, Sj. Ardhendu Sekhar

Naskar, The Hon'ble Hem Chandra Panja, The Hon'ble Jadabendra Nath Pentony, Mr. L. R.
Platel, Mr. R. E.
Pramanik, 8j. Rajani Kanta
Rafluddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, 8j. Jajneswar
Roy Sarkar, 8j. Birendra Nath
Roy Singh Sarker, 8j. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Serajuddin Ahammad, Janab
Shamsul Huq, Janab
Zaman, Janab A. M. A.

#### NOE8-11

Bandyopadhyaya, Sj. Pramatha Nath Banerje, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar -7asu, Sj. Jyoti Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati • Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Sen, Sj. Debandra Nath

The Ayes being 51 and the Noes 11, the motion was carried.

#### Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

#### Clause 5.

Mr. SPEAKER: Both the amendments are out of order.

Dr. SURESH CHANDRA BANERJI: I want to oppose this clause.

Mr. SPEAKER: Yes, you can oppose it.

Dr. SURESH CHANDRA BANERJI: Sir, আনি এইটা oppose করতে চাই। আপনি যদি এইটাকে out of order করে দেন তাহলে আনাদের যে scheme তাতে আনরা Companyce purchase বা transfer করতে চাই না আনরা দেটাকে nationalise করতে চাই। আপনি যদি সর্বচাই out of order করে দেন তাহলে আনাদের Oppositionএর যে সমন্ত scheme ছিল তা সরই out of order হয়ে যাচেছ। Government যেমন আনাদের সমূবে scheme of Nationlisationএর একটা picture রেখে দেন আনরাও Governmentএর সামনে একটা picture রেখে দিরে এই দুইটার বব্যে আবরা fight করছি। এবন আপনি, Speaker বদি বনেন আনাদের এটা out of order হরে গোল তাহলে আনরা কি করবো? আনরা as opposition at every point এতে সংগ্রাম করবার অধিকার আছে। আনাদের বে scheme আছে সেগুলি বদি clause by clause আলোচনা করতে না দেন, আনাদের উদ্দেশ্য knowing fully well যদি Speaker বহাশর আনাদের clauseগুলিকে out of order করে দেন তাহলে কি আনি বলুবো না যে আনাদের প্রপ্রম্ব করা হচেছ?

Mr. SPEAKER: Dr. Banerji, I regret to say that you have used the word "gagging" when I have declared it out of order previously.

Dr. SURESH CHANDRA BANERJI: I withdraw it. কিছ জাপনি আনাবের মুখ বছ করে থেন।

Mr. SPEAKER: If I have decided that an amendment is out of order I am not bound to give the reasons therefor when the reasons are palmably clear to anyone, more so to the members of this House because everybody in the House is expected to know by now what is in order and what is not

in order. As a matter of fact, on the ruling of the Speaker, except in very exceptional cases, no discussion is allowed at all. In order that the parties may be convinced of the propriety of my decision I have gone out of the way sometimes in order to allow these things to be discussed in the House, I have allowed even very small things to be discussed which ought never to have been discussed in the House at all. Now coming to the point "Nationalisation" portion has been already omitted and the House has given its decision that it was not appropriate for insertion in the place desired by the honourable member and has rejected the amendment. So that word is not to be used at any subsequent place in the subsequent clauses in the context in which it was originally sought to be placed but rejected. Now in Bill clause 5(2) at the end, the words used are "transfer agreement" and Dr. Banerji by his amendment wanted to insert the words "Nationalisation Agreement" in place of "transfer agreement". Any lawyer can understand that the expression "nationalisation agreement" can never fit in here because the Agreement appended to this Bill in the first Schedule is entitled "Transfer Agreement" and only this expression. "Transfer Agreement" has been defined in clause 2 (which has already been passed by the House) and nowhere has this expression "nationalisation agreement" been referred to and defined. When such is the reason I cannot understand how it can be allowed in clause 5(2) and even if it be allowed here in this House and passed by the House it will become meaningless when the matter will come up before the courts. Similar remarks apply to the other amendment which Dr. Banerji had tabled to this clause 5(2) seeking to replace the word "purchase" appearing in line 5 by the word "nationalise". I don't think I have done any injustice by declaring the two amendments out of order in view of the previous verdict of the House rejecting the insertion of the word "nationalisation". After all I am here to interpret the Rules and Orders which you have yourself framed; otherwise I am functionless. Dr. Banerji from the very start tried to insert the word "nationalisation". By an amendment to clause 1 of the Bill he wanted the Act to be named as "the Calcutta Tramways Nationalisation Act" in place of Calcutta Tramways Act but that amendment was rejected. Then by an amendment to clause 2(c) he wanted the Agreement to be named as "the nationalisation agreement" in place of "the transfer agreement" and that amendment also was rejected. So these are my reasons for not allowing Dr. Banerji's two amendments to this clause 5.

- 8j. DEBENDRA NATH SEN: Referring to amendment No. 9, that is to say the first amendment of Dr. Banerji to this clause 5, which seeks to insert the word "nationalise" in place of "purchase" I should say, Sir, that the remarks which you have made just now do not apply because he wants to insert the word "nationalise" not in place of "transfer" but in place of "purchase". By so doing, I think it does not in any way alter or do any injustice to the main clause.
- Mr. SPEAKER: I am very sorry I cannot make you understand the very fundamental thing, rather the absolutely preliminary principles in the drafting of a Bill. The whole tenor of the agreement is that it is defined as a "transfer agreement". Now if you wish to say in clause 5(2) according to the amendment referred to by you "shall be entitled to nationalise the undertaking" in place of "shall be entitled to purchase the undertaking" it becomes meaningless.
- 8j. DEBENDRA NATH SEN: "Purchase" and "Nationalisation" does not make any difference. "Purchase" by Government is "nationalisation" and on that ground, Sir, I think that this amendment does not really deserve to be ruled out oi order. It really does not mean anything to the contrary.

Purchase by Government is nationalisation and Dr. Banerji has simply asked for the insertion of the word "nationalise" in place of "purchase" in line 5 of clause 5(2).

- matter which, however, seems to be so simple. You have got to see the tenor of the Bill as a whole. Now the word "nationalisation" has not been used anywhere. The expression is "transfer agreement". Here is an agreement in the schedule. You may call it anything you like. Whether you call it transfer or you call it nationalisation, by whatever name you call it, that is a mere drafting matter. The word "nationalisation" is nowhere in the Bill.
- Tse Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I should like to know if the expression "gagging" is out of order. Dr. Banerji used the word मुन्दह and it was declared out of order.
- Mr. SPEAKER: I do not think that matter requires any further discussion.
- 8j. SIBNATH BANERJEE: On a point of privilege, Sir. I have to raise three points of privilege in this connection. The first one is that on the 17th September, several Ministers, and particularly my friend, Mr. Sen, wanted notice of two dozen supplementary questions put to him.
- Mr. SPEAKER: How does this question arise in respect of the clause of the Bill we are now discussing. If it does not, you must wait as your privilege point is extraneous to the matter under discussion.
- 8]. SIBNATH BANERJEE: Sir, there is only three minutes left for the House to be adjourned at 7 and I shall lose my chance to raise them.
- Mr. SPEAKER: May I know as to whether your points of privilege relate to clause 5 of the Bill?
- 8j. SIBNATH BANERJEE: No. Sir. But unless you give me an opportunity now my right as a member of this House I cannot exercise.
- Mr. SPEAKER: Your right as a member is there lut the point is that that right unfortunately is subject to the rules and regulations of this House. We are now discussing clause 5 and if it is relevant, you can do it.
- 8]. SIBNATH BANERJEE: I understand, Sir, it has been the privilege of the members of this House that matters of privilege have got precedence over others and have always been discussed first.
- Mr. SPEAKER: Yes, but the point is that it must arise out of the subject matter under discussion. But if there is a matter which does not arise out of the business under discussion, it is raised either at the beginning or at the end of a discussion.
- '8]. SIBNATH BANERJEE: Sir, I think it is relevant because it is connected with the speech delivered by the Chief Minister yesterday.
  - Mr. SPEAKER: I am sorry I cannot allow all this discussion.
- 8]. SIBNATH BANERJEE: Sir, I want to speak on clause 5. But it is now past 7 o'clock. We started at 3 and have been sitting for more than 4 hours. There should be a limit and Government should decide upon a time-limit in consultation with the opposition. Yesterday we started at 3-30 and agreed to sit up to 7 and today we started at 3 and it is now past

7 o'clock. We are human beings after all and we cannot be overworked in this fashion. Today we have already worked for 30 minutes more and even as a doctor Dr. Roy cannot prescribe overtime work for us now.

The Hon'ble Dr. BIDHAN CHANDRA ROY: As a doctor I ask you to sit down.

8j. JYOTI BASU: Sir, I think, we should adjourn now. Please adjourn till 3-30 to-morrow.

Mr. SPEAKER: If you do not want to sit any longer I shall have to adjourn now. But before I do so I may tell you beforehand that all your amendments to the First Schedule are out of order. Therefore if you have anything to say you should be prepared to make your submission tomorrow. I am of opinion that all the amendments to the First Schedule are out of order.

#### Adjournment.

The House was then adjourned at 7-5 p.m. till 3 p.m. on Thursday, the 20th September, 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legislative Assembly assembled and under the provisions of the Constitution of India

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 10th September, 1951, at 3 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 11 Hon'ble linisters and 65 Members.

# STARRED QUESTIONS

(to which oral answers were given)

# Case of Subodh Gopal Bosu versus Behari Lal Dolui

- •12. 8j. CHARU CHANDRA BHANDARI: Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—
  - (a) whether the attention of the Government has been drawn to the case of Subodh Gopal Bosu versus Behari Lal Dolui as decided by the High Court and reported in page 433 of Volume 55, No. 20 of the Calcutta Weekly Notes, dated the 16th April, 1951, and to the editorial comments of the said journal of the same date regarding the said decision;
  - (b) if so, what action, if any, the Government propose to take in the matter; and
  - (c) whether the Government consider the desirability of preferring an appeal to the Supreme Court against the judgment of the High Court in the matter?

# The Hon'ble Rai HARENDRA NATH CHAUDHURI (on behalf of the Hon'ble Bimal Chandra Sinha): (a) Yes.

- (b) and (c) An application has been filed before the High Court for leave to appeal to the Supreme Court against the judgment. The application is still pending before the High Court.
- 8j. GHARU CMANDRA BHANDARI: মাননীর বহীবহাণর জানেন কি বে এই সম্পর্কে অন্যান্য case বিভিনু জাদালতে pending ছিল সে সবন্ত caseএর বিচার হরে যাচেছ।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: There is no help. The parties have got to seek relief in the Court.

Sj. CHARU CHANDRA BHANDARI: বাননীয় মহীবহাপর একটা কাম্ব করনে রক্ষা হতে পারে। বদি Ordinance বা আইন কোরে এই সমন্ত case stay করে রাখা বার, তা করা Government কি desirable বনে করেন?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: We do not think that that will be desirable.

8j. GHARU GHANDRA BHANDARI: এটার এত তাড়াতাড়ি ইছর না দিরে এটা একটু বিবেচনা কোবে দেখবেন কি? এই রকম atay করা বর্ধবার ইতিপূর্ণে হরেছে। এই পরস্ত caseound Supreme Courts বিচার না হওৱা পর্যন্ত atay করে রাধার পুশু বিবেচনা করবেন কী? The Hon'ble Rai HARENDRA NATH CHAUDHURI: I shall look up the precedents and consider the matter.

### Messrs. Jas. Alexander & Co., Ltd.

- \*13. Janab SYED BADRUDDUJA: (a) Will the Hon'ble Minister in charge of the Labour Department be pleased to state if it is a fact—
  - (i) that there has been a long-standing dispute between Messrs. James Alexander & Co., Ltd., and their employees about bonus and some discharged workers; and
  - (ii) that the Assistant Labour Commissioner assured that the dispute would be referred to the Industrial Disputes Tribunal?
- (b) If the answer to (a) be in the affirmative, will the Hon'ble Minister be pleased to state—
  - (i) whether the dispute was referred to the said Tribunal;
  - (ii) if so, the awards of the Tribunal, if any;
  - (iii) whether the awards were implemented by the firm; and
  - (iv) if not, the steps taken or proposed to be taken by Government against the firm?
- MINISTER in charge of the LABOUR DEPARTMENT (the Hon'ble Kalipada Mookerjee): (a)(i) No dispute is known to exist in any firm styled as Messrs. James Alexander & Co., Ltd. There was, however, a dispute between Messrs. Jas. Alexander & Co., Ltd., and some of its employees represented by Bengal General Engineering and Metal Factory Workers' Union over bonus and some discharged workers in 1950.
- (ii) Two Assistant Labour Commissioners, viz., Sri S. C. Sarkar and Sri H. N. Ghose, functioned as Conciliation Officers on different occasions. Their reports contain no mention of any assurance given by either of them.
- (b)(i) No, as the genuine grievances in the dispute were settled by conciliation and there was no live issue justifying reference to a Tribunal.
  - (ii) to (iv) Do not arise.
- Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রীবহাপর বলবেন কি এই disputeটা Conciliation Officerএর কাছে কবে refer করা হয়েছিল ?

The Hon'ble KALIPADA MOOKERJI: কবে ঠিক date বক্তে পারি না, ১৯৫০ সালে চলছিল।

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রীমহাশয় বলবেন কি এই conciliation caseএর proceedings কবে শেষ হয়েছে?

The Hon'ble KALIPADA MOOKERJI: Proceedings চলবার কালে আরেকটা নুডন union এখানে এসে উপস্থিত হয় এবং সেই union একটি representation করেন এবং ডার president হতেছন Dr. Suresh Chandra Banerji; এবং ডাবের সঙ্গে একটা সর্কে আপোম হয়।

Dr. SURESH CHANDRA BANERJI: স্বেশচন্ত ব্যানাজির নেতৃতে conciliation করা না করা এটা এখানে আলোচ্য বিষয় নয়। যে disputeটা Conciliation Officer-এর কাছে আছে সেটার অবসান করে হয়।

'The Hon'ble KALIPADA MOOKERJI: যদি ভাষিব চান ভবে নোটন চাই।

Dr. SURESH CHANDRA BANERJI: নান্নীয় ষ্ট্রীষ্ট্রান্থ বলবেদ কি এই conciliation disputed বলবেদ ঘটল এই মর্বে কোন report Conciliation Officer Government দেয়েছেদ কি ?

The Hon'ble KALIPADA MOOKERJI: Yes.

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্ৰীমহাণয় বলবেন কি কোন তারিখে সেই report দিয়েছেন ?

The Hon'ble KALIPADA MOOKERJI: 35001

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রীমহাশয় দয়। করে বলবেন কি ফলাফল সম্বন্ধে সেই reportএ কি লেখা হয়েছিল ?

The Hon'ble KALIPADA MOOKERJI: বার জন discharged লোকের মধ্যে ৮ জনের আপোঘে মীমাংসা হয়েছে। কয়েকজন আবাব সেখানে reinstated হয়েছে এবং কয়েকজন চাকা নিয়ে চলে গিয়েছে। ৪ জন সম্বন্ধে পুননিয়োগ সম্ভব হয় নি।

Dr. SURESH CHANDRA BANERJI: যে ৪ জন সহছে পুননিয়োগ সক্তব হল না তাদের case Tribunal এ পাঠান হয়েছে কি?

The Hon'ble KALIPADA MOOKERJI; তাদের case Tribunalএর কাছে পাঠান উপযুক্ত বিবেচিত হয়নি।

Dr. SURESH CHANDRA BANERJI: মাননীয় ষত্রীমহাশয় বলবেন কি কি কারণে ও কোন কর্তৃপক্ষ বিবেচনা করলেন সেই caseগুলি Tribunalএ পাঠান উপযুক্ত কি না — তিনি কি Labour Commissioner, না Assistant Labour Commissioner?

The Hon'ble KALIPADA MOOKERJI: Labour Commissionerএর report অন্যায়ী পাঠান হয় নি।

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রীমহাপায় বলবেন কি কোন case উপযুক্ত সেটা বিচার করবার অধিকার একমাত্র মন্ত্রীমহাপায়েরই না Labour Commissionerএমও আছে? আমি তো জানি তিনি তথ recommend করতে পারেন।

The Hon'blo KALIPADA MOOKERJI: Labour Commissionerএর স্থপারিশ অনুবারী Government Tribunal নিরোগ করেন।

Dr. SURESH CHANDRA BANERJI: এই কেত্রে Labour Commissionerএর স্থপারিশ কি হয়েছিল ?

The Hon'ble KALIPADA MOOKERJI: এই পুশুের উত্তর আগেই লেওয়া হয়েছে।

Dr. SURESH GHANDRA BANERJI: Labour Commissioner recommend না করনেও মন্ত্রী মহাপর ইচ্ছা করনে যে কোন case Tribunal পাঠাতে পানেন।

The Hon'ble KALIPADA MOOKERJI: निण्डबरे शास्त्रन।

Dr. SURESH CHANDRA BANERJI: বানদীর বরীবহাপর এই ক্ষেত্রে নিজের সেই ক্ষেতা পুরোগ করেছেন কি নাং

The Hon'ble KALIPADA MOOKERJI: বদি Government দিব করতেন Lebour Commissionerএর স্থারিশ বিধিসঙ্গত হর নি তবে সেধানে Government নিশ্চরই সেই বিষয় বিচার করতেন।

- 8J. KANAI LAL DE: আমি একটা গরকারী পুশু করছি, স্যার। আমি কতকণ্ডলি পুশু পাঠিবেছিলাব, সেগুলি নাকি নাবছুর করা হবেছে, কারণ Finance Minister অসুত্ব থাকার জন্য কোন কাজই হতে পারে নি। কিন্তু, স্যার, আমি এই সম্পর্কে সংশ্লিষ্ট পুশুই করেছিলাব এবং সেগুলি জরুরী। সেগুলি কিকারণে নাবছুর করা হয়েছে?
  - Mr. SPEAKER: You have to ask this in my Chamber.
- Dr. SURESH CHANDRA BANERJI: বাননীর শ্লীকার বহোগর, non-official day গৰছে কি হল পে সম্বছে নিয়ম আছে যে, সাধারণত: আমরা শুক্রবার non-official day হিসাবে পাই, নেটা আমরা পাব কি না
- Mr. SPEAKER: Before I answer this question, I think the questions are over.
- Dr. SURESH CHANDRA BANERJI: I am very sorry, Sir. I thought the questions were over.

#### Non-official day,

- Mr. SPEAKER: You wanted to know about the non-official day for discussion of non-official matters. I understand there is no business.
- Dr. SURESH CHANDRA BANERJI: I sent notices of two Resolutions—of course, not within the prescribed period.
- The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, the best way will be for the business which has already been notified to be finished. After that they may have two non-official days, I do not mind; let them sit after the Pujas if they so wish.
  - Dr. SURESH CHANDRA BANERJI: That is not the usual procedure.
- The Hon'ble Dr. BIDHAN CHANDRA ROY: There is no question of procedure.
- Mr. SPEAKER: I understand the office has received some notices which, however, are not notices sent within time. Then according to the rules they require the consent of the Minister-in-charge before those matters can come up before the House. Therefore the time-limit stands in the way. And, besides that, there is no business just now for a non-official day. If there be business I should certainly be prepared to give some opportunity for taking up that business. So that is the position.
- 8j. BIMAL COMAR CHOSE: Inasmuch as we are accepting amendments to Bills at very short notice whenever the Government are sending those notices to us, may we not ask the Government through you, Sir, to accede to short notice in respect of resolutions and accept those resolutions sent to them at shorter notice than the prescribed time.
- Mr. SPEAKER: The resolutions have been sent to Government and as soon as they receive the consent of the Ministers-in-charge they will form the business for a non-official day.
- 8]. BIMAL COMAR CHOSE: You can ascertain the position from the Government just now, Sir, and let us know today.
- Mr. SPEAKER: You have drawn my attention which means that Government also have heard what you have said. Whatever was to be done by my office has been done and we shall also take steps to ascertain their views.

- SJ. BIMAL COMAR CHOSE: We are making this reference on the floor of the House. You may also ascertain from them now and let us know.
- Mr. SPEAKER: I hope they have heard your views and perhaps they are not in a position just now to answer one way or the other. We have sent the resolutions and the Hon'ble Ministers concerned may most possibly be considering them. Of course we can remind them again. That is all I can do.
- 8J. BIMAL COMAR CHOSE: Again on a point of privilege and that is with respect to the delay that is taking place in Government answering our questions. That point was raised in the last session and also in the session previous to that and you said that you yourself were looking into the matter and you would give us your decisions. Unfortunately, Sir, we have not had any decision of yours until now. As this may be the last session—

  (The Hon'ble Dr. Bidhan Chandra Roy: There will be another one; don't you worry.)
  - Mr. SPEAKER: So far as we are concerned we have addressed the Government on that subject and we are awaiting their reply.
  - Sj. BIMAL COMAR CHOSE: What I wanted to suggest was this that under the rules you could urge upon the Government; you can even enforce to a certain extent on the Government answering the questions in time. And at the expiry of the notice period if the questions still remain unanswered, you, Sir, may put the questions on the order paper of the day on which they are due for reply as per rules. Even after that if the Government does not reply it is their business but the questions may go on appearing on the notice paper.
  - Mr. SPEAKER: The position is this: with regard to the time within which the questions are to be answered either we have got to amend the rules to make some provision with regard to that or the Government should come forward themselves to answer them within the particular time. If it be a question of amending the rules then a Bill will have to be brought. In this connection I may draw your attention to rule 113 for the procedure laid down. It reads, "The procedure contained in these rules for the consideration of Bills shall, so far as may be, apply to a motion for leave to amend these rules". Therefore I cannot amend it myself. A Bill will have to be brought before the House and the same procedure will have to be followed as is followed in the case of any other Bill. Therefore unless the rules are changed I am not in a position to enforce that. As at present so far as we are concerned we have written to the Government about this matter to expedite it, and we are expecting that something will be done.
  - 8j. BIMAL COMAR CHOSE: I quite appreciate your difficulty that unless the rule is changed you cannot enforce the Government, but as answers sometimes come very late the urgency of the question suffers. Therefore I consider that probably the rule permits you to put the question or questions on the notice paper only, as soon as they become due for answering, if you cannot enforce the Government to answer the questions. It will be for the Government to answer the questions or not. But can't you do this much, Sir, that you will have the questions appear on the notice paper as soon as the required period of the notice has expired and after doing that you can ask the Government to answer and if the Government still want to refuse to give the answer they will refuse and we cannot help that.

- Mr. SPEAKER: Our practice has all along these years been that the questions are put before the House when the answers are received together with the answers and not the questions only as is suggested now. If the answers are not received I cannot put the questions only in the House when the Minister is not ready for an answer. The new procedure suggested by Mr. Bimal Comar Ghose is not the procedure that we have adopted so far in this House.
- 8j. BIMAL COMAR CHOSE: Although we have not followed it here I understand that that is the procedure—I speak here subject to correction—followed in the Central Assembly (The Hon'ble Dr. BIDHAN CHANDRA ROY: No). There the answers come within the requisite time.
- Mr. SPEAKER: In any case there must be some rule according to which it can be done, namely that the questions alone will go on appearing even if the Hon'ble Minister concerned is not in a position to reply.
- Dr. SURESH CHANDRA BANERJI: আনার resolution দুইটা যতদূর মনে পড়ে 9th September পাঠিয়েছিলাম আপনার কাছে। আজ ২০ তারিখ, ১২ দিন পুার হয়ে গেল এতদিন আপনার জানা উচিত ছিল যে সেই resolutionগুলি Government কি করলেন বা না করলেন। এই resolutionগুলি were very simple স্বতরাং এই simple resolutionগুলি জানা উচিত ছিল। আজ ১২ দিন হয়ে গেল এর মধ্যে অস্বতঃ আপনার officeএ আসা উচিত ছিল এবং Governmentএরও জানা উচিত ছিল।
- Mr. SPEAKER: We shall make enquiries and let you know. I have sent them to the Government. It is for them to give consent and in the absence of the consent of the Hon'ble Minister concerned I cannot publish it.
- 8j. SIBNATH BANERJEE: On a matter of privilege, Sir, কাগজে দেখলাম বাদ্যমন্ত্ৰী মহাপম একটা statement করেছেন। অবশ্য তাঁর statement করবার একটা অধিকার আছে, I cannot challenge এবং I do not challenge, কিন্তু তিনি unfortunately Assemblyce drag in করে বলেছেন যে Speaker মহাপম তাঁকে বলতে permission দেননি। তিনি যদি statement in advance দেন তাহলে debate in the Parliament procedure ধারাপ হয়ে যাবে। এই সমস্ত অবান্তর কথা বাইরে অবশ্য বুবই বান্তর হতে পারে (laughter) এখানে যে কথা বলা দরকার ছিল সেটা তিনি বাইরে না বলে এখানে এই Assembly Hallএও সে statement দিতে পারতেন। কিন্তু তিনি তা না করে Speaker permission দেন নি এই কথা বলে তাঁর ভাষ্য দিয়েছিলেন। এতে dragging in the Assembly also and also your Honour. Speaker যে permission দেননি বলেছেন এটা futured একটা bad precedent হয়ে থাকবে। সেইজন্য আমার মনে হয় তিনি যে এই ধরণের statement করেছেন, it is a contempt of this Assembly. এই statement বাইরে করবার তাঁর কোন অধিকার নেই।
- Mr. SPEAKER: I do not think that is a question of privilege to be decided by me as why the Hon'ble the Food Minister has issued a statement and I do not see that there is any question of any contempt of this House or of the Speaker. As a matter of fact the statement of the Food Minister is there and he has stated certain things according to his own light but I do not find in it anything which can be called a "contempt of this House".
- 8]. SIBNATH BANERJEE: শীকার বহাবর, আপনি সেচ। পড়েছেন কি, যেটা ''হিলুয়ান টাওাঠে'' পুকাৰ হবেছে?

Mr. SPEAKER: I have read it.

- 8]. SIBNATH BANERJEE: তা'হলে ঐ "Hindusthan Standard" এ "শীকার নহাশর permission দেন নি" এই রকম opinion দেবার তাঁর ক্লান অধিকার আছে কি না। And whether that is a contempt of the Assembly. তিনি Assembly নবো Speaker drag করেছেন। একখা তার বলা উচিত ছিল না।
  - Mr. SPEAKER: That is his view—not my view.
  - Sj. SIBNATH BANERJEE: কিন্ত আমরা যদি এই ধরণের কথা বলতাম তাহলে-
  - Mr. SPEAKER: Certainly you can also.
- 8j. 8IBNATH BANERJEE: স্পীকার বহাশর, আপনাকে আর একবার ঐ কাগজখান। পড়ে দেখবাব জন্য অনুরোধ করছি। আপনাকে drag in করা হয়েছে——
- Mr. SPEAKER: Order please. I have understood the thing. It is not contempt.

# Presentation of the Report of the Select Committee on the Calcutta Municipal BiH, 1951.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I beg to present the Report of the Select Committee on the Calcutta Municipal Bill, 1951.

#### Point of order.

- Sj. BIMAL COMAR CHOSE: On a point of order, Sir. I did not know that this report was going to be presented today because that is not on the Order Paper.
  - Mr. SPEAKER: It was in the Order Paper of yesterday.
  - 81. BIMAL COMAR CHOSE: There were other Bills also to come.
  - 8j. JYOTI BASU: The Tramways Bill has not yet been finished.
  - Sj. SIBNATH BANERJEE: Has the Tramways Bill been withdrawn?
- Mr. SPEAKER: It is simply presentation of the report of a Select Committee. It is not going to be discussed now in preference to the Tramways Bill which is half done and other items on the order paper.
  - 81. SIBNATH BANERJEE: Laying of Bills cannot be done.
- The Hen'ble Dr. BIDHAN CHANDRA ROY: Laying of the report of the Select Committee is allowed. It will have to be published in the gazette after presentation here and after that only it will be discussed and the amendments also will be discussed if there be any.
- 8j. BIMAL COMAR CHOSE: My point of order is that it is not being presented properly. I did not know that it would be presented today and I have not brought all my papers in connection with the same.
- Mr. SPEAKER: We are not going to discuss it at all. It is simply being presented. There is no motion before the House with regard to that.
  - 8]. BIMAL COMAR CHOSE: On a point of order, Sir.
  - Mr. SPEAKER: What is your point of order?
- 8j. BIMAL COMAR CHOSE: My point of order is, that this presentation is not in order. First of all, this business was in yesterday's Order Paper and yesterday's business has been carried over. But I am not going

to that. I would refer to rule 56(1) of other Assembly Procedure Rules. Rule 56(1) says, "A select committee shall consist of not more than seventeen members unless, on a motion in that behalf carried by the Assembly, a Bill stands referred to a committee of the whole Assembly." And rule 56(2) says, "Except in a motion that a Bill be referred to a committee of the whole Assembly, the Minister in charge of the department to which a Bill relates.....".

Mr. SPEAKER: Mr. Ghosh, please come to the relevant point.

8j. BIMAL COMAR CHOSE: Yes, Sir, I am coming to that. I maintain that the Select Committee must be presided over by the Minister in charge of the department, and I maintain that as the Select Committee was not properly constituted, its Report cannot be submitted and it will not be in order.

Now, Sir, let me make my submission. My submission is that if you will look to the definitions, you will find that there is a definition of "Minister" and "Member in charge of the Bill." The "Member in charge of the Bill." The "Member in charge of the Bill" means, in the case of a Government Bill, any member acting on behalf of Government and, in any other case, the member who has introduced the Bill. "Minister" means a Member of the Council of Ministers, and includes any member to whom such Minister may delegate any function assigned to him under these rules. That is quite all right. So far as rule 56(2) is concerned, it is however definite. It specifically says that the Minister in charge of the department to which the Bill relates shall preside, and it further says in rule 56(3), that the Minister in charge of the department to which a Bill relates shall, if he is a member of the Assembly, ordinarily be Chairman of the committee. That is the provision.

Now, Sir, here the question of a Member in charge of the Bill, or the Minister, is not relevant, because it says "the Minister in charge of the department". It is specific on that point. Now, the question is whether the Minister who is in charge of the department shall preside over the committee, and the only exception permitted is that he should ordinarily be the Chairman.

#### The Hon'ble Rai HARENDRA NATH CHAUDHURI: Ordinarily.

8j. BIMAL COMAR CHOSE: Yes, I am coming to that. Now, Sir. I know that the Bill was presented by the Chief Minister, and I know, Sir, also you may hold and you may not be far wrong in holding that there is only one Minister in the Cabinet of Bengal. But so far as we are concerned, that may be the actual position but we have to go by the formal position. The formal position is, where a person happens to be the Minister in charge of a department, the Minister of that department should preside over the committee. Now, Sir, the question is "ordinarily". I submit, an extraordinary construction should not be put upon the word "ordinarily". So far as "ordinarily" is concerned, I should think that was put in there because the Minister might be absent or ill or might be away; but I do not think that if the Minister be, say, incompetent or unable to carry on the work in connection with the Bill that he is entrusted with, that should also come within the ambit of this rule. I find that the Minister in charge of the department was present throughout, he participated in the committee and he appended his signature to the Report, and as such it cannot be said that the Minister in charge of the department was absent or that he was not ordinarily available. So if you have a rule put in here where it says clearly that the Minister in charge of the department shall ordinarily preside, then the definition portion does not help us, because there it says that the Minister may be so and so, but here

it says specifically that the Minister in charge of the department shall preside. If he is not a member of the Assembly, the committee might appoint somebody as Chairman. So it re-enforces the proposition that it must be the Minister in charge of the department who, if he is a member of the Assembly, must preside. The only thing that can be said for any other interpretation or for any other member presiding over the committee would he to take recourse to the word "ordinarily". Everything depends upon the interpretation of the word "ordinarily". If the Minister in charge of the department has throughout been present in the committee meeting and has participated in it and has signed the report, then can we say that the Minister in charge of the department need not have been the Chairman of the committee as is provided for under the rules? I submit that "ordinarily" should have this interpretation only that he was not available, he was away. Any other interpretation, e.g., that he could not possibly carry on the work should not hold good. The Chief Minister himself was a member of the committee, and if the Minister-in-charge was not equal to the work entrusted to him, the Chief Minister could assist him, being a member of the committee. But there was no reason why the rule should have been violated. I submit therefore that the Select Committee was not properly constituted and, therefore, its Report should not be permitted to be presented to this House.

Mr. SPEAKER: I have considered the point of order raised by Mr. Ghose, and I have come to the conclusion that the Report presented is in order. He has drawn my attention to clause 56(3) of the Rules of our Assembly. The word which he has mentioned is "ordinarily", meaning thereby that it is not obligatory or compulsory that in every case the Chairman should be the Minister in charge of the department. A certain discretion has been left by this rule by using the word "ordinarily". Now, it appears from the proceedings that the Hon'ble Dr. Bidhan Chandra Roy was elected Chairman of the Select Committee by the Select Committee itself in which the Hon'ble Minister in charge of the department was present. Had the Hon'ble Minister in charge of the department insisted upon his right to be the Chairman, certainly he would have been the Chairman. But if with his consent the Chairman has been appointed by the Committee itself, I am of the view that that appointment of the Chairman is valid, and as such the proceedings of the Select Committee are quite in order. Under the circumstances I regret I have got to rule out the point of order raised by Mr. Ghose.

8j. 8iBNATH BANERJEE: Sir, what about my point of order? When we are discussing the Tramways Bill, another Bill cannot be thrust in and we cannot discuss another Bill unless the Tramways Bill is either withdrawn or disposed of.

Mr. SPEAKER: But this is on the agenda paper and nothing except presentation is necessary at this stage. It is simply to facilitate the business of the House and with a view to publish it as soon as possible that that has been done; and I do not think there is anything wrong in it.

8j. SIBNATH BANERJEE: There is no question of wrong in it. My point is whether it is in order or not.

Mr. SPEAKER: Yes, it is in order.

# COVERNMENT BILLS. The Calcutta Tramways Bill, 1951.

Clause 5.

Mr. SPEAKER: We are proceeding with the Calcutta Tramways Bill. We were on clause 5. I think somebody wanted to speak on that clause.

- Mr. Sibnath Banerjee. The only point I wanted to make with regard to clause 5 is that time and again he Hon'ble Chief Minister has referred to the fact that there were several contracts of the Tramways Company with different local bodies and as such it was very cumbersome and difficult for any single local body to take over the Tramways Company, as a whole. But I have not understood as to how this came in the way; or how it can now be shown that it is a great achievement that the Government takes the place of all these local bodies—because one of the local bodies is the Calcutta Corporation, notice might have been given a long time back to the Tramways Company for buying up the concern. But I think that for a long time now the Government had decided that no such notice should be given. Therefore, Sir, this is no achievement at all—because right from the beginning the Government—I think just after it came into existence and the Ministers held office—had decided that, and they had been carrying on negotiations, secretly probably, with the management of the Tramways Company, that after a certain time and probably just before they go out of office, some such contract would be entered into with the Tramways Company. Therefore, when this is paraded as an achievement I do not see the point at all. Sir, that is the only point I wish to make with regard to clause 5.
- SJ. SIBNATH BANERJEE: শ্লীকার মহোদয়, কাল একটা amendment এ সম্বন্ধে ছিল Dr. সুরেশ বানালি মহাণবের, এবং পেটা out of order হয়ে যায়, সেই amendmentর উপর আমি কিছু বলতে চেয়েছিলাম। কিছু সেটা out of order হওয়ায় আমার এবন একমাত্র পদ্বা হচেছ main clauseএর সম্বন্ধে কিছু বলা। আমার মনে হয় amendment সম্বন্ধে না বলেও (A voice From the Treasury benches: এত দেরি কেন,—বলে ফেলুন) এই তো বল্ছি—আমার মনে হয় এই clauseটার কোনই পুরোজন নাই। এত লহা একটা clauseএর কি দরকার ছিল গ পুর্ববর্তী বক্তা বলেছেন যে অনেকের সঙ্গে agreement ছিল, সেই জনা অনেক অসুবিধা ছিল। স্নতরাং আর সেই সব নিয়ে বিলটাকে বড় করবার কোন পুরোজন নাই; শুধু এই কথা বলাই যথেই—এই যে বর্ত্তরাং আর সেই সব নিয়ে বিলটাকে বড় করবার কোন পুরোজন নাই; শুধু এই কথা বলাই যথেই—এই যে বর্ত্তরান agreement এটা জন্য সব agreementক supersede করে বহাল হল।
- 8]. HEMANTA KUMAR BASU: শীকার মহোদয়, ১৯৪৪ গালে কলিকাতা কর্পোরেশন এই ট্রাম কোম্পানিটাকে নেবার জন্য যে দর করেছিলেন তাতে এর valuation ছিল ৪ কোটি টাকা। জামার মনে হয় এটার সহছে, বিভিনু দলকে নিয়ে কেনবার চেটা না করে এবং ২০ বংসরের সয়য় কোম্পানিকে না দিয়ে কলকাতা কর্পোরেশন যে কেনবার চেটা করেছিল, গেটা তখন সজব হয় নি, কারণ তখন সীগ গতর্পবেশট ছিল। নীগ গতর্পবেশ্টর কাছে যখন কর্পোরেশন অনুমতি চাইলে loanএর, তখন নীগ গতর্পবেশট তাদের সেই অনুমতি দেয় নাই। যদি Calcutta কর্পোরেশন যে contract ট্রাম কোম্পানির সজে করেছিল, নীগ গতপ্রেশট সৌটা সম্পাদ্রের অনুমতি দিতেন, বা নীগ গতর্পবেশট সেটা তখন approve করতেন, তাহলে আমার মনে হয় এই ট্রাম কোম্পানিটাকে তারা কিনে নিতে পারত। সে দিক থেকে দেখুলে আমি মনে করি এই claused এবানে যা বলা হয়েছে যে বিভিনু দল বা partyকে এক করে একটা বড় কাজ করা হয়েছে, সেটা আমি মনে করি না। স্বতরাং এটা redundant, এর কোন প্রয়োজন নাই।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not think any words of mine are necessary now that we have accepted clauses 3 and 4. My friend Mr. Jyoti Basu does not see anything good on this side of the House. There are some people who belong to the group of 'nil admirer'. They see nothing good except in their own group. Therefore, I do not take his criticism very seriously. The question is if we have accepted the agreement under clause 3, you must say something with regard to the contract that is now subsisting and clause 5 simply mentions what has happened to the agreements and contracts that are already in existence.

The question that clause 5 do stand part of the Bill was then put and agreed to.

#### Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

#### Clause 7.

The question that clause 7 do stand part of the Bill was then put and agreed to.

#### Schedule 1.

- Mr. SPEAKER: I have told you that all the amendments to Schedule I are out of order.
- SI. SIBNATH BANERJEE: May we be enlightened why it is so—it is beyond our comprehension.
- Mr. SPEAKER: The Agreement is entered into between two parties, the Government and the Tramways Company. Either we accept the Agreement or reject it. There cannot be a Bill passed by this House incorporating something other than what has been agreed upon. You cannot therefore amend the Agreement without the consent of the Tramways Company. If you pass the Bill incorporating an agreement which is not in existence, that cannot be done. Moreover, under clause 3 you have already passed the transfer agreement. "The transfer agreement is hereby confirmed and made binding on the parties thereto".
- Sj. SIBNATH BANERJEE: I thought that the agreement is no agreement unless we pass it. After we pass it it becomes a valid agreement. It may be a private agreement of any person. When we pass it it becomes valid.
- Mr. SPEAKER: You are right. One of the clauses of the Agreement is that it is subject to the confirmation of the House. Therefore, you are perfectly entitled to say that you do not pass it. As I have said, however, either you accept this Agreement as it is or reject it as it is. That is your discretion. But an amendment is not your discretion unless and until it is consented to by the Tramways Company. Moreover, you cannot pass a Bill incorporating something other than what has been agreed upon.
- Sj. DEBENDRA NATH SEN: On a point of order, Sir. If there is anything placed before the Assembly as a Schedule incorporated in a Bill, have the members a right to put amendments on that Schedule or not? We have had such Schedules in other Bills also and we were allowed to put amendments on those Schedules. Almost every Bill contains a Schedule and we have been allowed to put in amendments on those Schedules. Here also we have got a Schedule. We do not know whether it is an agreement between the Government and X, Y and Z. It is a Schedule before us and it has been placed before us. It might not have been placed before us at all. Here is an Agreement between the Government and the Tramways Company. It need not have come before the House. But now that it has come before us in a Bill and it has been placed before us, I think you have no other alternative but to accept the amendment Otherwise that would be entirely unconstitutional.
- Mr. SPEAKER: Mr. Sen, I think no schedule is sacrosanct and every schedule of a particular Bill is to be considered with reference to the provisions of the particular Bill concerned. If the schedule is such that no other

party's consent is necessary, we are in full seisin of the thing, but if the purpose of the Bill is to incorporate an agreement between the Government on the one side and a third party on the other, I think the House has got no right to make an amendment in the terms of the agreement and then pass the Bill and say that this House passes the Bill containing terms which were not agreed upon. This cannot be done. Considering the importance of the matter Government themselves did not conclude the agreement but they have brought this before the House to take public opinion represented by the members of the House. Clause 9 says "This Agreement shall be binding subject to an Act of the Legislature of West Bengal confirming it by the thirty-first day of December one thousand nine hundred and fifty-one and making the same binding on the parties hereto and on all other persons, bodies and authorities having any rights or interest in the undertaking whether by statute, order, agreement or otherwise." It may be that the Tramways Company did not want to enter into the agreement unless it was agreed upon by the House. Therefore this matter has been brought before the House, because one of the terms of the agreement is that this agreement will be binding subject to the approval thereon by the House.

Sj. DEBENDRA SATH SEN: On a point of order, Sir. It means that the approval of the House should also be binding. If we reject the agreement, the agreement falls through, if we amend the agreement, it will fall through also. So, where is the difficulty? We will amend the agreement and if the company accepts that, well and good and it not then it falls through. We can certainly suggest alteration.

The Honble NIHARENDU DUTT-MAZUMDAR: On a point of order, Sir. The distinction is that if the schedule consists of a proposal of the Legislature you may amend it but if the Schedule consists of a proposal of a different purty it is not open to the House to amend it.

Mr. SPEAKER: The point is a very simple one and it needs no elucidation. It is as clear as day light. Here is an agreement entered into between the Government and a third party. One of the clauses of the agreement is that this will be binding when enacted by the Legislature and therefore this agreement has been brought before the House. The House is certainly entitled to say that we reject or we approve of this. But you are not right when you say that you are entitled to amend the agreement, as in that case third party's consent is necessary before any agreement is substituted. Therefore you can express your disapproval not by amending it but by rejecting it. No other course is possible and no amendment in the terms of the agreement which forms part of the schedule is allowed, because that makes the whole Bill infructuous. Clause 3 says "The transfer agreement is hereby confirmed and made binding on the parties thereto and the several provisions thereof shall have effect as if the same had been enacted in this Act." Clause 2(c) says "the transfer" agreement" means the agreement made on the 30th day of August 1951, between the Governor of the State of West Bengal of the one part and the company of the other part. Therefore from all this you find that this Bill has been brought to confirm the agreement.

8]. JYOTI BASU: On a point of order, Sir. We are faced with an outrageous situation and the fears that I had yesterday have been confirmed today that it is merely a farce that this Bill has come up before us. Because, Sir, as you have pointed out that the agreement is there entered into between the two parties and it is for the members of the Legislature to accept it or reject it, but you cannot alter it. That may be the general position with regard to this schedule as it is worded but there is one point and I think the Government is quite aware of these facts when they brought this Bill before the House that it was not possible for us to discuss or touch the

schedule at all as it is sacrosanct. Therefore having had my fears, Sir, I asked the Secretary of the Assembly whether it was at all possible for us to discuss this schedule or to suggest any amendment to this schedule. Of course he was not quite sure at the time and so we suggested amendments. But anyhow you have referred to clause 3 regarding the transfer agreement and other provisions thereof. Now, do we presume that if we make any change the transway company will not agree to those changes? It may be, Sir, that the company may agree to those changes and incorporate them in the agreement. I feel, Sir, that our amendments should be allowed and we should move our amendments in the House and if the tramway company does not agree to the changes then the Government will have no other alternative but to come back to the House with another agreement.

Mr. SPEAKER: I regret I do not see any reason to justify my allowing the amendments to the agreement being moved. Then the whole thing would be ludicrous and it passes my comprehension as to how the agreement agreed and entered into between the parties can be altered without the consent of the other party. If you pass this Bill incorporating something which has not already been agreed to I do not understand what a more preposterous situation can there be!

Under the circumstances I hold that all the amendments to the First Schedule are out of order, and in this connection I regret to say I cannot see what else is to be done. There is one thing. If the members are so keen to carry into effect their amendments, they were certainly entitled to attain their objective by rejecting clause 3. There are ways by which you can disapprove this agreement and then Government will communicate to the Tramways Company to enter into a fresh agreement.

The Hon'gle Dr. BIDHAN CHANDRA ROY: Sir, my point is, it is true you have passed clause 3, and as you say, it is perfectly clear that the amendments to the First Schedule are not possible. If my friends opposite are so sure either at this stage or at the third reading as to throw out the Bill altogether, then the Government will have no other option but to approach the Tramways Company for fresh negotiations. But you cannot crop and cut and reshape here and there and then say, 'you go on negotiating with the company'.

- 8j, DEBENDRA NATH SEN: On a point of order, Sir, here the remain a Schedule Schedule does not only. Under clause Schedule becomes a part of the every part of the point of order is this: Has not this Assembly the right to put in amendments to the Schedule as has been presented before the House along with the Bill? My second point is, is that right of the Assembly to be abrogated if the Schedule in this particular case happens to be the agreement? I have consulted constitutional pundits in Calcutta and I think I am fortified with their views. These are the two points to remember.
- Mr. SPEAKER: If clause 3 has been passed, then the Schedule has already been passed. Apart from the argument, after the passing of clause 3 you cannot effect any amendment to the Schedule.
- Dr. SURESH CHANDRA BANERJI: Sir, I have appreciated your point. For at form at Clause 300. At the state of the House and as custodian of our rights and privileges, I am afraid, it was your duty, before you passed clause 3 which concerns the agreement, to draw our attention to the agreement which should be discussed. Unfortunately, we could not foresee it, but as Speaker

it was your duty to bring to our notice, 'if you pass clause 3 which confirms the agreement, you confirm the Schedule'. Therefore it was in that this ought to have been brought to our notice, so that we could have got an opportunity of discussing the Schedule. Now, in this peculiar position we are opposing the agreement but we are not able to discuss it.

- sibnath banerjee: Mr. Speaker, Sir, I would like to make a short submission. এটাৰ কোন পুৰোজন হোড না যদি না Dr. Roy, the Hon'ble Chief Minister, জীয় বিজ্ঞতাপূৰ্ণ বজ্জা এখানে করতেন। For one moment let us forget যদি এটা Free Parliament করা হয় বদিও the result is already known, যদিও আনরা আনি এটা হবে না, কারণ before Ram was born Ramayan was written. যদি schedule discussion হয় অন্তত: majority অথবা majorityর কাছাকাছি opinion হবেও তা properly redraft করে আনাদের নামনে আনতে পারতেন। তা না হবে কোন বানে হয় না। কারণ আনাদের mindতো আনা পেল না। It may continue ad infinitum. Parliamentary process may come into force. Schedule সহছে আনাদের Oppositionaর opinion তো তারা আনতে পারবেন না। আনাদের যে স্বাক্ষণ আছে সেই opportunity, the opportunity for the Opposition and for the country to know, থেকে আনরা deprived হচিছ। Agreement হয়,—in to to accept or reject করন। Ultimately এমন হতে পারে যে, সবচাই rejected হয়ে যেতে পারে। তথন তথ্ অছকারে হাতড়াতে হবে। সেজনা বল্ছি (The Hon'ble Dr. Bidhan Chandra Roy: তোনার opinionএর দাম তেও এক পরসা) আপনার opinionএর দাম কুটো প্যসা।
- Mr. SPEAKER: With regard to one of the remarks made by Dr. Banerji I should like to point out that a member ought to understand the effect of the provision which has been passed by the House. He should have taken the legal advice, and therefore it should not be thrust upon the Speaker. I have no obligation in the matter.

The next point is, even if clause 3 had not been passed amendments could not be made. I am confident beyond any shadow of doubt that there is no scope to allow changes in the shape of amendments to the Schedule.

- 8]. JYOTI BASU: Sir, with regard to Schedule I, I do not know how you will put it before us. Will it be as transfer agreement as a whole?
  - Mr. SPEAKER: Yes, as a whole, as one document.

The question that the First Schedule do stand part of the Bill was then put and a Division called.

(When the Division Bell was ringing.)

- 8j. SIBNATH BANERJEE: Sir, I have a point of order. 

  আপনি বে কথা

  বলেছেন, বে agreement দিয়েছেন তনং clause পাশ করার পর—না পাশ হবে দিয়েছে, তা আর ভোটে

  দেওয়া বেতে পারে না। আবাবের amendment আগতে পারে না because it is already there.
- Mr. SPEAKER: Please wait. The Division Bell is ringing. After the Division Bell ceases ringing, you can raise it. I will hear you after the ringing of the Division Bell and before I put it again to vote.
- 8]. SIBNATH BANERJEE: यानमीव "पीकांत नशीनंत , पार्गनि বে agreement দিবছেন জাতে clause (3) আর জোটে শেওবা বার না। আপনি ruling দিবছেন বে জিন নম্বর কুন্ পার্শ ছবে গিরেছে, বদি তাই হবে বাকে তা'বলে এর উপর আব vote হতে পারে না। ঐটা already dead হবে গিরেছে, স্বভরাং এটা dead horse. What is the use of whipping a dead horse? জাই আবার বক্তবা, যে এই scheduleএর উপর ভোট নেওবা আবৈধ—it is out of order.

- Mr. SPEAKER: আপনার আর কিছু বলবার আছে?
- 31. DEBENDRA NATH SEN: It is a point of privilege. Before this is put to vote, we want to exercise our right to speak on this.
- 8j. BIMAL COMAR CHOSE: On a point of order, Sir. A point of order was raised and before that is disposed of, no other point can be raised.
- 8]. SIBNATH BANERJEE: My point of order has not been disposed of.
- Mr. SPEAKER: I rule out that point of order because section 3 says "The transfer agreement is hereby confirmed and made binding on the parties thereto and the several provisions thereof shall have effect as if the same had been enacted in this Act." Again the "transfer agreement" has been defined in section 2(c): "the transfer agreement" means the agreement made on such and such a date between so and so, "a copy whereof is set forth in the First Schedule to this Act." Therefore, I have got to pass this schedule so for as this House is concerned.

So far as the point of privilege is concerned-

- 8j. BIMAL COMAR CHOSE: Sir, I want to say-
- Mr. SPEAKER: I am sorry I cannot allow any further discussion.
- 8j. BIMAL COMAR CHOSE: On a point of order, Sir-

The Hon'ble Dr. BIDHAN CHANDRA ROY: After the division has been called, it is impossible to go on in this way.

- Mr. SPEAKER: The position is that I have put the motion to vote and the members have shouted "Aye" and "No" respectively. All the members were here and nobody said that he wanted to speak. So, a division has been called and now after the division has been called, you wish to argue again. That is not possible.
  - SJ. BIMAL COMAR CHOSE: No, Sir-
- Mr. SPEAKER: I won't allow any more discussion to go on. If you have any point of order, please raise that point of order.
  - 8j. DEBENDRA NATR SEN: What about my point of privilege?
- Sj. BIMAL COMAR CHOSE: The position was that you disposed of that point and in the same breath you put it to the vote. A member did not get an opportunity of rising and suggesting that he would like to speak on the motion. You said that you have disposed of the point and you put it to the vote straightaway. This is a question of fact. If you are satisfied that you did give the members an opportunity of rising in their seats, then probably you would be justified in not allowing them to speak now, but after you disposed of that point, you straightaway put it to the vote so that members could not rise in their seats and say that they would like to speak. That is a point of fact. As soon as you said "Ayes" and "Noes", my friend Sj. Debendra Nath Sen wanted to speak on the main motion. Why should you debar him from speaking on the main motion?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not think he is correct. Sj. Debendra Nath Sen did not rise up before you put it to vote.

Mr. SPEAKER: The position is obvious. After I disposed of the point of order, I put the question to vote and some members have said "Aye" and

others have said "No'. Thus a division is called. After the division has been called, somebody gets up and says 'I want to speak'. That cannot be allowed.

3). JYOTI BASU: That is merely taking a technical view of the matter. I think we should not be deprived of our right to speak.

Mr. SPEAKER: Perhaps I should remind you that except with the leave of the Chair, no point of order can be discussed and I have allowed sufficient discussion on that point.

8]. JYOTI BASU: What is your ruling?

Mr. SPEAKER: My ruling is that at this stage and under the circumstances of this case, I am not justified in having another debate on this clause when division has already been called.

The question that the First Schedule do stand part of the Bill was then put and a division taken with the following result:—

#### Ayes-47.

Abduliah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushii Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanaliai
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Haldar, Sj. Kuber Chand
Khuda Bukhsh, Janab Md.
Muhammad Sayeed Mia, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majin, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mailick, Sj. Ashutosh

Mandal, Sj. Annadaprasad
Mandal, Sj. Bankubehari
Mandal, Sj. Krishna Prasad
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan'
Mookerji, The Hon'bie Kalipada
Mudassir Hossain, Janab
Muhammad Siddique, Dr. Syed
Murarka, Sj. Basantiai
Musharruff Hossain, Janab
Naskar, Sj. Ardhendu Sekhar
Naskar, The Hon'bie Hem Chandra
Panja, The Hon'bie Jadabendra Nath
Pramanik, Sj. Rajani Kanta
Rafiuddin Ahmed, The Hon'bie Dr.
Ricketts, Mrs. E. M.
Roy, The Hon'bie Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Roy Sarkar, Sj. Birendra Nath
Roy Sarkar, Sj. Birendra Chandra
Sen, The Hon'bie Pratulia Chandra
Sen, The Hon'bie Pratulia Chandra
Serajuddin Ahammad, Janab
Zaman, Janab A. M. A.

#### Noes-13.

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Bibnath Banerji, Dr. Buresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra Bose, Srijukta Biyabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanal Lal Ghose, Sj. Bimal Comer Ghose, Dr. P. C. Sen, Sj. Debendra Nath

The Ayes being 47 and the Noes 13, the motion was carried.

The Second Schedule.

The question that the Second Schedule do stand part of the Bill was put and a division taken with the following result:

#### AYE8-40.

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Abdullah, Janab S. M. Abdus Shokur, Janab, Banerjee, Sj. Sushii Kumar Barman, The Hon'ble Syama Prasad Shattacharyya, Sj. Shyamapada

Chaudhuri, The Hon'ble Rai Harendra Nath Das, Sj. Radha Nath Das Gupta, Sj. Khagendra Nath Dasa, Sj. Kanailai Delui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'bie Niharendu
Gelam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand
Khuda Bukhsh, Janab Md.
Mahammad Rased Ali, Janab
Mahammad Sayeed Mie, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'bie Nikunja Behari
Majumdar, The Hon'bie Bhupati
Mai, Sj. Iswar Chandra
Maillok, Sj. Ashutosh
Mandal, Sj. Krishna Prasad
Mandal, Sj. Krishna Prasad
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mookerji, The Hon'bie Kalipada

Mudaseir Hossain, Janab Muhammad Siddique, Dr. Syed Murarka, Şj. Basantlai Musharruff Hossain, Janab Naskar, Sj. Ardhendu Sekhar Naskar, The Hon'ble Hem Chandra Panja, The Hon'ble Jadabendra Nath Pramanik, Sj. Rajani Kanta Rafuddin Ahmed, The Hon'ble Dr. Ricketts, Mrs. E. M. Roy, The Hon'ble Dr. Bidhan Chandra Roy, Sj. Jajneswar Roy Sj. Jajneswar Roy Sarkar, Sj. Birendra Nath Roy Singh Sarker, Sj. Satish Chandra Sen, The Hon'ble Prafuila Chandra Sen, The Hon'ble Prafuila Chandra Serajuddin Ahammad, Janab. Shamsut Huq, Janab

#### NOE8--12

Bandyopadhyaya, Sj. Pramatka Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra Bose, Srijukta Bibhabati Chatterjee, 8J. Haripada Choudhury, 8J. Annada Prosad De, 8J. Kanai Lai Ghosh, Dr. P. C. Sen, 8J. Debendra Nath

The Ayes being 46 and the Noes 12 the motion was carried.

#### Preamble.

The question that the Preamble do stand part of the Bill was then put and a division taken with the following result:

#### AYES-46

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass, Sj. Kanailal
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Kased Ali, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majumdar, The Hon'ble Bhupati

Mai, Sj. Iswar Chandra
Mailick, Sj. Ashutosh.
Mandai, Sj. Annadaprasad
Mandai, Sj. Krishna Prasad
Mandai, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab
Muhammad Siddique, Dr. Syed
Murarka, Sj. Basantial
Musharruff Hossain, Janab
Naskar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pramanik, Sj. Rajani Kanta
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'ble Prafulia Chandra
Serajuddin Ahammad, Janab
Shamsui Huq, Janab
Shamsui Huq, Janab

#### NOE8-12

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dn. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati Chatterjee, Sj. Haripada -Du, Sj. Kanai Lai Ghose, Sj. Bimal Comar Ghose, Dr. P. C. Sen, Sj. Debendra Nath

The Ayes being 46 and the Noes 12, the motion was carried.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Calcutta Tramways Bill, 1951, as settled in the Assembly, be passed.

Si. DEBENDRA NATH SEN: Mr. Speaker, Sir, just as I was coming to speak you were kind enough to make a remark that 'now you can make a speech with your heart's content'. I am sorry I cannot speak with my heart's content because it is lacerated by the manner in which we have been able to carry on. The points of differences between the Government and the opposition are two-fold. We have differed on the ground of principle and also on the ground of facts. First, on the question of nationalisation we think it is the accepted policy of Congress that certain establishments should be nationalised. It has also been accepted by the Government of India that certain things should be nationalised and this Tramways Company comes within the purview of that category which is to be nationalised by Government. I also think that the West Bengal Government and its Chief Minister made it clear during the last budget session as also in the past that it is the policy of this Government to nationalise the transport services. If we have differed it is because that policy has not been pursued but abandoned. We have been requesting the Government that that nationalisation should be pursued and that the Tramways Company should be nationalised. There is another question of difference of opinion between the Government and the opposition, and that is the question of payment of money to be given as purchase price. We think that the Company does not deserve such a big sum. It has enjoyed profits so long at the cost of our people's interests. The workers have not been paid fully and well. The travelling public are being charged like anything, and because of these two factors the Company has during the last fifty years taken away a lot of money out of this country. It is atrocious still to do so. We cannot tolerate any more demand on their part to get more money. These are the two points of difference that we have with the Government.

Now, Sir, I shall speak on facts. On the first day I had occasion to say that I cannot accept the facts stated by the Chief Minister and my point of difference is based on facts also. The Chief Minister has said that under the existing contracts-I mean the previous contracts-the purchase price was prohibitive, but under the new agreement it is reasonable. I refute that statement, Sir. It has been said by the Chief Minister that under this agreement they have limited the dividend of the Company. As I said, on the first page I do not find any clause in the Bill or in the agreement embodying this provision that the dividend of the company should be restricted to not more than four per cent. I find a mention of it only in the Statement of Objects and Reasons at the bottom of which in sub-section (8) where it says-profit in excess of 4 per cent. on the capital at charge goes into a special reserve fund. Sir, here it is mentioned in an oblique way that profit in excess of four per cent. on the capital at charge goes into a special reserve fund. In the body of the schedule there is section 4(d)(ii) which says—four per cent. upon any additional outside share capital raised by the Company with the consent of the Government after the date of this agreement. It is an oblique reference and there is nothing in the clause or schedule that this Company cannot pay more than 4 per cent. of its profits as dividend to the shareholders. When I said that, the Chief Minister did not give any reply and I make it still more clear that what the Chief Minister says that he has succeeded in limiting the power of the company to give more than four per cent. out of the profit as dividend is a myth.

There is nothing in this Schedule or in the Bill which suggests that such a power has been taken and such an obligatory clause has been introduced.

What has been introduced here in the Statement of Objects and Reasons is that anything in excess of four per cent. on the capital at charge would be transferred to a reserve. There is a lot of difference between capital at charge and capital. I think public should be given a true picture of this difference. As yet the public has been duped. Yesterday the Hon'ble Chief Minister said that the dividend would be limited to four per cent. It is not. Dividend means dividend on share capital. If it means limitation it will not come from the Statement of Objects and Reasons only—it does not come from a part of the Bill—it does not come from a Schedule. But accepting that the Statement of Objects and Reasons should be honoured what is given us is only a limitation of 4 per cent. on the capital at charge—not on the share capital. I have to make my point clear. . The share capital of this Company is £9.5 lakhs. The capital at charge which has been calculated and presented before us in the papers circulated vesterday is about £22 lakhs. Four per cent. on £9.5 lakhs will be one sum and four per cent. on £22 lakhs will be another sum. If you allow them four per cent. on £22 lakhs, is that money going to be distributed to shareholders having £9.5 lakhs only? That is why I am saying that the money you have set apart—clause 4(d)(i) may be seen—for paying dividend is £87.457. If this money is to be paid as dividend, will it go to £9.5 lakhs capital or £22 lakhs capital? If it goes to £9.5 lakhs capital, then the percentage of dividend will be more than 12 per cent. It will be more than 12 per cent. I want to make it clear. The Company paid 6 per cent. dividend in 1948 and 1949. The total money required is £42,000. Here is the Year Book. It says in 1948 the Company paid 6 per cent. dividend. In 1949 also it paid 6 per cent. dividend and the total money required for that purpose—that is given in this Year Book is £42,000. If you keep the money for paying as dividend £87,000 and if the whole of that sum is to be given as dividend to the shareholders, then what will be their percentage of dividend on capital? You are limiting only the profit and that profit also is on capital at charge. You have not limited dividend. The shareholders even now will be entitled to get more than four per cent.—more than six per cent.—more than nine per cent. I ask this categorically. Will a shareholder having £100 as share be entitled to 4 per cent. or more. I want a categorical answer from the Hon'ble Chief Minister. As a result of this Agreement from tomorrow what will a shareholder having £100 as his share be getting as dividend? Is he entitled to get £4 or can he get more than £4 according to this agreement? According to my interpretation he will be entitled to get more than four per ceut. because you have set no limit on dividend. You have set a limit only on profit and that too on capital at charge. There is no limit to dividend to be paid to shareholders. It can be argued that this £22 lakhs will be converted into share capital. That is to say £9.5 lakhs will henceforth be converted into £22 lakhs and a shareholder without paying any money as his share will now have an enhancement of the value of his share to the extent of two and one-third. A man having £100 as his share will henceforth be given dividend not on £100 but on £225. In that way you really circumvent. You may say that we will pay you four per cent. but you may convert £100 into cooks. £225 and then we will pay four per cent. on that money. That is not a very honest way of donig a thing. If you want to do that you should tell the country, you should tell the Assembly, you should tell the people at large that that is what you are going to do—that for every £100 share you are going to give a benefit of £225 and on that you are going to pay dividend. Unless you do that your percentage of dividend will not be four per cent.; it will be nine per cent. as I said yesterday; it will be more than nine per cent., I say it today; it will be about twelve per cent. These are facts. These are not sentiments. This is not politics. This is not election-winning propaganda. This is fact. This is economics. I request the Hon'ble Chief

Minister to have a Committee and let me place my facts before it—an impartial Committee—and let the Government place their facts before that Committee. Let that committee decide as to whose facts are correct—whose interpretation of facts is correct. It is not politics that I am speaking here; I am speaking real economics. We want a Committee. Let us have an impartial Committee and let us put facts before that Committee. Even then if you pay only four per cent. what will become of the remaining balance of this £87,000. The Company has paid 6 per cent. and the Company's capital has been increased today—it is more than what it was in 1949. Therefore, they need have £22,000 but they have got £87,000. What will be the fate of the balance? Clause 7(c) is there—no loophole has been kept so far as protecting the interest of the Company is concerned. Clause 7(c) seeks to protect the property. If there be a balance left of this £87,000, then clause 7(c) says, "The Government shall also pay to the Company in sterling in London, the amount of the balance (if any) of the Shareholders' Account at the purchase date within one month after a certificate by the Company's Auditors". So there may be deception in another way. You pay four per cent. now. You keep a balance but that balance will also have to be paid to them hereafter. Then there is another question.

lakhs. The capital at charge is about £22 lakhs.

There is this difference of £12 lakhs. On this also he may get four per cent., but he gets actually this four per cent. who is the owner of this £12 lakhs? It has been taken from the reserve. It has not been given by any individual shareholder nor by any individual Director. It has accumulated throughout these years as a reserve and that reserve has been capitalised. Who gets the benefit of this four per cent.? To which individual you give the benefit? To the Directors? Where does it go? It has not been mentioned. I consider all these to be The Hon'ble Chief Minister was saying that he has done it preposterous. in the interest of the people and he is a businessman. I do not think he has shown his business ability in entering into this Agreement. I ask this question categorically. This four per cent. on this £12.5 lakhs-who will get it-which shareholder? Without these questions being answered you ask us and say that this Agreement should be accepted in toto by us. You will raise objection to our discussing the clauses. I shall put this to you, tell us frankly how this money calculated at 4 per cent. on this 12 5 lakhs of pounds will be distributed and to whom and in what manner. This brings us to one fundamental consideration. Has the company an exclusive right to the Reserve which has been built up year after year? Of course the workers have been paid something although we do not consider that they have been paid what is actually due to them. Capital also has to be paid something and the remainder has been kept in a reserve. Has the Government any exclusive right to that reserve or have the workers also any right to that reserve? I think, Sir, we are equal partners in that reserve. The Company has got no exclusive right to that reserve. The shareholders have got no exclusive right to that reserve. The workers have as much right and an equal right to share the benefit of that reserve as the shareholders or the company has. That fact has never been taken into consideration here. As I had occasion to mention the previous day I would request the Chief Minister to compare the wage structure obtaining in the Tramways Company with that obtaining in the Calcuutta Electric Supply Corporation. This reserve was built by depriving the workers of their legitimate dues and the workers are again going to be deprived of their legitimate claim to this reserve fund by your paying 4 per cent. on each pound of that reserve. The Bank Tribunal had occasion to discuss this question and they allowed only 2 per cent. on the reserve. That was the maximum that they could recommend but here we in our anxiety to protect the interests of the people are allowing 4 per cent. on the reserve. I do not know as to how much of this money is in England and how much of this money is in India. I do not

know how many of the shareholders are foreigners or what percentage of the share capital is subscribed by foreigners and what percentage by Indians. But this much I know that my own money is going out of the hands of our common people to the hands of perhaps a few Indian capitalists and much of the money to the many big capitalists in England and we will have no chance of getting any benefit from them. If the same amount, the whole of it goes to the hands of Indian capitalists, perhaps we may some day be in a position to expropriate them or at least to get some benefit out of that money but if it goes out of India to a foreign country it goes out for good and we will be deprived of any benefit from that. This is the fundamental consideration.

I now come to discuss the document that was circulated vesterday to meet some of the points raised by us, the Opposition members, and to attempt to give a reply to some of the points raised by the Opposition Members. Let us take up page 1 of that document. Here is a calculation of the differences -between the gross receipts and the working expenses. It is important because under the existing contracts 25 times of the net annual average profit spread over 7 years is what the company is entitled to as the purchase price. This calculation will go to show whether the price fixed under this new Agreement has been higher or lower than the price which we shall have to pay on the basis of the tramway company's existing contracts with the various local bodies. So it is a very important document. The years taken are from 1943 but in the contract it is laid down as seven years preceding the year of option. This is the first mistake that I point out. That is the language of the contract namely "seven years immediately preceding the date of such purchase", that is in the contract. From the year 1946 the difference between the gross receipts and the working expenses is going down. Please look at the figures that I am reading. In 1943 the difference was 3,21,000; in 1944 the difference was 5,60,000; in 1945 the difference was 6,36,000—the difference has almost doubled compared with 1943 but in 1946 if came down to 3,60,000. In 1947 there was not only no difference but there was a negative difference, in other words the working expenses were higher than the gross receipts. Same was the case in 1948.

Mr. SPEAKER: I think many of these matters have been discussed in the consideration stage. I should remind honourable members that at the third reading the debate is very much restricted. So you should not go into the same ground over which you went at the consideration stage. I would therefore request you to confine yourself to putting fourth arguments either to the opposition of the Bill or to the support of the Bill. The details need not be gone into at this stage. The proper time for going into details was at the consideration stage. I would therefore once again request you to shorten your speech and to put forth new arguments either in support of the Bill or in opposition to the Bill.

**Sj. SIBNATH BANERJEE:** মি: স্পীকার স্যার, আপণি একটু **আ**র্গেই বলেছিলেন বে ''আপনার। প্রাণধুলে বলতে পারেন।''

Mr. SPEAKER: I have allowed half an hour already and I refrained from saying anything and half an hour should have been sufficient for the honourable member to say what he ought to say at the third reading of the Bill. It is now my duty to draw your attention and the attention of the honourable member speaking. Even now I have not stopped him from proceeding further.

Dr. SURESH CHANDRA BANGBJEE: বি: শীকার স্যাব, এই সত্যটা তুললে চলবেলা, বে আবরা এই agreement সমতে আবোচনা করতে পারিনি-----

Mr. SPEAKER: I cannot allow any discussion now. I have simply made an appeal. No discussion on that point is necessary.

8j. DEBENDRA NATH SEN: I will certainly abide by what you say but this document I was referring to just a moment ago was not supplied to us at the time I delivered my first speech on the motion for consideration.

Mr. SPEAKER: And that is the reason why I have allowed you half an hour already.

- 81. DEBENDRA NATH SEN: So, Sir, on the basis of the difference from 1946 between the gross earning and the working expenses if you pay 25 times on the basis of the calculation beginning from 1946, it will not be ten crores. It will be lower than the sum that has been fixed in the agreement. I have taken into account the calculation of four per cent. for four years beginning from 1946 and not from 1943 because from 1946 the difference between gross receipts and the working expenses has dwindled down every year and it is going down still because the Tramways Company has got to face the competition with the State buses and will go down still further if, of course, Government is serious and sincere about its activities in State buses. Therefore as the State bus activities are expanded the gross receipt is bound to go down every year. It is for this purpose that I have taken the years 1946-49 and the average comes to 2,27,000 pounds—the average of the difference between gross receipts and working expenses and 25 times that sum comes to 56 lakh pounds or roughly seven crores of rupees. That is my own calculation, Sir, and I have got to say something further on this point. The working expenses here included have not taken into account all the items that should have been included. I have got one balance-sheet for one year, i.e., the year 1947. What these working expenses should include are given in this document-power expenses, traffic expenses, maintenance and repair expenses, general expenses, bonus to staff, contribution to staff provident fund, London office expenses, Directors' pay are all included, but the last one—renewals and replacements during the year, that is to say, 80,000 or 61,000 pounds—that has not been included under working expenses although under the contract it must have been done. If you include that item the difference will dwindle down by 60,000 pounds. I have added up the balance-sheets for 1946 and 1947 and my figures according to the balancesheets show that the working expenses for the year 1946 are 8,46,000 pounds but in this document it has been given as 7,78,000 pounds. That is why I say there is a dispute between facts and facts. Let us sit before an impartial tribunal-
- SJ SIBNATH BANERJEE: On a point of order, Sir, I think there is no quorum.

Mr. SPEAKER: Order, order. Yes, there is quorum.

8j. DEBENDRA NATH SEN: In calculating the working expenses one item of expenditure on renewals and replacements has not been included, and if it is included the difference between gross receipts and working expenses will further dwindle down and the calculation would not come to ten crores, as has been said by the Chief Minister, but much less than that. Now the price has been fixed at 37 lakh peunds and I shall examine how this price has been arrived at. The book value of the stocks has been taken at 23,77,000 pounds and no question of depreciation has been considered. Sir, it is the book value as stated in the books and the total is £23,77,900. Then comes not an item of depreciation but an item of appreciation: 40 per cent. for

appreciation in value. Then the remaining portion is all right. Sir, I have a dispute over the figure of the book value for you have to take into consideration the factor of depreciation not for the present time but twenty years hence. But that has not been taken into consideration and if that is taken into consideration then the price would not go up to the figure that has been calculated under this agreement. Moreover, Sir, who knows what is the value of appreciation over the value of the stocks. There will certainly be depreciation instead of appreciation in the value of the stocks twenty years after. Therefore it is extremely wrong to include such a huge sum under the head "net appreciation in value of stocks".

I shall now come to the question of capital at charge. On the first day I had occasion to say in my speech that we have noticed this technical phrase and we must give a definition of that in the body of the Bill. This should have formed part of a schedule so that everybody could know what the capital at charge is and how it has been calculated. That has not been done. A document has been submitted to us only today and it has no value. The share capital is £9,50,000 and that is all right. Then comes capital reserve expended on additions and improvements amounting to £7,00,000. Sir, I ask wherefrom has this come? It first accumulated under the head "Renewals and Replacements". The whole money should have been expended on renewals and replacements but that was not done. But from there this 7 lakhs was transferred to capital reserve and it again comes back and we shall have to pay four per cent. on that. I say this sum has been accounted more than once and more than once we are going to pay for this same item. But again it has been brought here and this amount should be scrapped from here and the capital at charge should be reduced by at least 7 lakhs. The capital at charge consists of two things. One is share capital of 9.5 lakhs and the remaining 12.5 lakhs comes from various reserves—it comes from the Revenue Reserve, it comes from the Capital Reserve, it comes from the Investment Reserve, it comes from the Revenue Appropriation Account balance. Now, where in the balance-sheet are all these reserves mentioned? It has been said that all these moneys have been calculated from the balance-sheets ranging over 7 years. I have got balance-sheet for 1947. I could not get balance-sheets for other years. I have got balance-sheet for 1947. I do not find this sum included in the balance-sheet. I will give some examples.

Take this account Revenue Reserve and Surplus. The amount set against it is £3,87,000. In 1947 the Revenue Reserve and Surplus is shown as £10,000 in the balance-sheet. So, in 1947 it was £10,000, but in this document within these two years 1948 and 1949, it has come up to £3,87,000. Either there is a mistake here or there is a mistake there. The Hon'ble Chief Minister has said "We have drawn all our figures from the balance-sheets." But I take this as more correct and I challenge you wherefrom have you got these figures—you explain it. Place the original documents before us or before an impartial committee and let us make calculation and let us see what the figures actually come up to.

Then in the balance-sheet the Revenue Reserve and Surplus, and the Investment Reserve—these two are put together and only one sum is put against them, but in this document they have been put separately and money has been placed against them—which money you do not find accounted for in the balance-sheet. All these things seem very suspicious. It is not politics at all. It is only a question of accountancy. These are facts. Actually the facts that have been placed before us—are they correct? What are the sources of those facts? In the balance-sheet they are not to be

found. Wherefrom have the Government got those figures and why are they afraid of placing those figures before an impartial arbitrator in order to see what the position actually is? Sir, I have dealt with this document.

In conclusion, I would like to say that we have to leave this House today with a heavy heart—heavy heart because the whole world will know that this Bengal Legislative Assembly has sanctified an agreement which is bad from top to bottom, which is anti-national from top to bottom, which is against all canons of business from top to bottom.

Sir, with these words I resume my seat.

Janab MUDASSIR HOSSAIN: Mr. Speaker, Sir, I have heard with close attention the speeches which have been delivered on either side of the House and it seems to me that the speech which was delivered by the Hon'ble Chief Minister is the most brilliant that I have ever heard.

In the first place, Sir, it was a business proposition. As has been said on either side of the House, it is a business proposition and it is not political at all. So, the first consideration of the House will be whether it is a business proposition and the agreement which has been arrived at between the parties concerned is favourable to the Government. That is the only point for consideration of this House.

The illuminating speech and the explanation which has been given by the Hon'ble Chief Minister should convince anyone that the proposition is certainly a business proposition and the agreement which has been arrived at between the parties is the best that can be available at the present moment.

In this connection the question of nationalisation, the question of democratisation and such like things have been brought in and it has been said that the assets of the company should be forfeited and the management of the company should be taken over. That was the first proposition which was laid before this House in answer to the very illuminating speech delivered by the Chief Minister. As regards the point that only £1 should be given and the entire assets of the company should be forfeited, it has been conclusively shown that that is against the Constitution and it cannot be done at the present moment. Sir, whether we are on this side or whether we are on the other side, it is a fact that we have sworn loyalty to the Constitution and we must abide by the Constitution which has been framed. As has been pointed out by the Chief Minister, the Constitution has laid down that if we take over the property of any person-whether of the company or of the gemindar or of any other person—we must pay compensation for that. That is the provision which has been made in the Constitution and if we go to forfeit the property of anyone-of an individual or of a company—that is not allowed and it will go to the court and all your Acts will be declared null and void and you will be compelled to pay compensation. That is the first proposition. My friend on the other side has said "Well, this has been done in Bolshevik Russia, this has been done in China, this has been done in Iran" and such other countries, but this is not Iran, this is not Russia. This is not any other country but this is India where people of the country have framed a Constitution and we as members of this House have sworn loyalty to the Constitution. Having sworn loyalty to the Constitution and loyalty to the State, if any person says that the private right of property should be forfeited, certainly that is not a good proposition and he becomes a traitor to the Constitution and acts against the State.

As regards the Constitution, change it when you come over. You take the administration in your own hands and bring out a Constitution with Communistic ideas. But, as it is, you have sworn loyalty to the Constitution as it stands—the Constitution which was passed by the representatives, the accredited representatives, the chosen representatives of India.

As a member of this House he has sworn loyalty to the Constitution and he should abide by the Constitution and now if he says that the private right of property should be forfeited or that a man should be let off with a shilling or a pound, then it goes against the Constitution by which he

Then, Sir, as regards the business proposition. It is a fact that the company has enough property and if we take it over we must pay compensation for that. That is an accepted proposition according to the Constitution. If that is so, then the first thing will be to know whether we have enough money to spare at the moment. As has been pointed out by the Chief Minister we are in want of fund for our development schemes and for other utility schemes. Therefore we are not in a position to execute another agreement just now and pay for it. We have entered into agreement and the purchase will take place some years after when the situation— I mean the financial position of the country—is favourable. It has also been stated by the Chief Minister that according to the Planning Commission we must reserve our resources for the development schemes and keep other things in abeyance. Can any one say that the contract which has been entered into by the Government of West Bengal and the Tramway Company is in any way derogatory to the Government or in any way profitable to the company? It has been agreed that we shall pay 20 times the difference between average gross annual receipts and the working expenses of the undertaking, etc., etc., and it has been shown that 25 times of the net difference will amount to Rs. 12 crores which is not available at the present moment. We are now only making arrangements and we shall take it after 20 years and we will have to pay only Rs. 5 crores instead of Rs. 11 crores. Various funds that now exist in the tramway company will come to the Government. Sj. Bimal Comar Ghose has suggested that we can raise a loan. But, Sir, a loan can only be raised if it can be repaid from the profit of the concern for which the loan is floated. Now, Sir, we cannot raise a loan below 4 per cent. rate of interest and then we have administration charges and so it will be difficult to repay the loan. Therefore only an insane can suggest a loan who does not understand the economic affairs of the country.

Sj. Debendra Nath Sen has said that the dividend which will go to the shareholders is much more than 4 per cent. Sir, the share capital is only £9,50,000 and the total capital is £21,86,420 and the 4 per cent. of it is £87,457. My friend altogether forgets that the shareholders are entitled to the entire profit that a company gets. Any one who is acquainted with the balance-sheets knows it very well that the profits which a company makes are divided into several heads. The first item is dividend and the next one is reserve fund and so on and so forth.

Now, Sir, it is being brought within the province which is going to create a reserve fund out of the profits the owners of which are the shareholders. Therefore when you come to purchase an undertaking, you are to pay the shareholder not only the dividends which he used to get but also interests out of the Reserve Fund which has been created out of the profits, for they are entitled to get the dividends and interests of the entire amount of which they are the owners. Therefore there is nothing prohibitive, there is nothing immoral, nothing irregular for which you

can say that the Chief Minister has committed deception by giving false accounts. Any one who is acquainted with the economic theory and the balance-sheet knows very well that the proposition which has been set up by Mr. Deben Sen is quite wrong: therefore it is not tenable at all. It is altogether a business-like proposition—a better proposition and a better agreement could never have been arrived at by any other party. It has shown the intelligence, the keen acumen and other things of the Chief Minister. He is worthy of congratulations, and I congratulate him most sincerely for the agreement which he has made on behalf of the people of West Bengal and he should be acclaimed with thunderous applause. The amendments which have been put forward cannot be accepted, for as a dawyer my friend Mr. Jyoti Basu should know that changes made in an agreement by one party are not binding on the other. So as has been pointed out by our Chief Minister it should either be accepted or rejected. That is the proposition. You have not been able to reject it, so you have accepted it.

Sir, I have heard with rapt attention the arguments put forward by noy friends opposite. Their arguments remind me of the Bengali adage . "বাকে বেশতে নাৰি তাৰ চলন বাঁকা।" Whatever you say, তোৰাৰ চলন বাঁকা।

Sir, I have heard the speech of the learned lady Sja. Bivabati Devi. She has said, বাৰপৰীৰ দিক থেকে আদি আৰু দাবী করছি। But what is meant by বাৰপৰী? I consulted the dictionary, but nowhere I have found the word—Bengali, Sanskrit, Urdu, Persian or in any other dictionary. But there is the word বাবা, which means woman.

8j. KANAILAL DE: Sir, it is a personal reflection on the venerable lady, and it is not parliamentary.

Janab MUDASSIR HOSSAIN: Sir, I do respectfully and humbly beg to submit that it is not unparliamentary, nor does it show any disrespect to the learned lady. What I meant to say was that there is no such thing in the Bengali or Sanskrit dictionary as and I humbly beg to submit that I have not said anything discourteous, but I only wanted to say that it is aword which is not found in Bengali or Sanskrit dictionary.

Mr. SPEAKER: You come to the point.

Janab MUDASSIR HOSSAIN: Yes, Sir, I am coming to it. My friends have said that the Bill should be named Nationalisation Bill. I say this is like কানা ছেলের নাব পৰালোচন। বাবের নাব কাঁটালে কুটুলি, ছেলের নাব পূর্বা চরপ। 'I must make an appology.

Mr. SPEAKER: That is enough.

8j. JYOTI BASU: মাননীর শিকার বহাপর, আজকে একটু বাংলার বলৃছি, কারণ বল্লীবহাপরর। বোধ হ আমার কথাগুলি ঠিকবত ইংরাজীতে বুরতে পারেন নি। Assembly Sessionএর আরুও বোর্ধ হর শেষ হবে আনহে; কাজেই এবন ভাষা ব্যবহার করি বাতে সকলের বুরতে স্থিব। হর। আমি অনেক স্বর এখানে গুলি বে আমালের এখানে থারে আহেন, বাঁরা, সরকার বাহাপুর বা বলেন ভালের কোন কিছুই ভাল আম্বরা বেশতে পারি লা। আমালের পুরানমন্ত্রী মহাপর বাব্রে বাহে এই করা এবানে বলেছেল; আজো তিনি নেই করা বলেছেল বে জ্যোভিনারু যদি আমরা কোন ভাল জিনিব করি ছা তিনি কেইতে পারেন না এবং আমালের কর্বা ডিনি একটোআঞ্জী নেন না। এখানে কোন কাল করলেই বে ভাল বলুতে হবে এই রক্তর বিবেচনা আমালের নাই। পুর্বের্ণ আমি বলেছি এবং আবার বলুছি বে, বে উর আমার ছিন্ন, আককে একে আমি বেক্সার নাট। বিভিন্ন

करत (वेंग । क्षेष्टे व विको। क्षातातक जागरम कामा शरपारक विराम करत व कृष्टिकी---वागन कर्या, व्यक्ती विराम Tramway Companyৰ প্ৰতিনিধিয়া ঠিক করেছেন এই Bill নিবে Assemblyৰ ভিতৰ বেন আলাপ चारनाइमें ना इब ; दन धव (परक धक्छा, नूटेंडा,--स्वान नथके बनवान ना इब। जाता विवाजी Tram Company जाताएत शुवानवरी बशानतरक वतन निरंत्राहन, एक्टबन यम और बारन रकान किछ हरक ना ৰাৰ, গণডাত্ৰিক জিনিম যেন এর ভিতর না চোকে। এক এক শবৰ আমাৰ বলে হব সাধাৰণ মানুম মনে করতে भारत. त्वत्रन चामताथ मतन कति, त्कन अमन दय, त्कन अकति। विशिष चामात्मत नामतन चारत। Tramway Company व क्विनिष जानवाद क्वना जावास्त्र नदकाहरू वांश करत जरे जामत त विषय निरंग कांन नकांत महानाबनी পञ्चाव चानाउ পाति ना। এইটা Tramway Company (कन कत्राला ? এই চুক্তি उ नवकांव ৰাইরে থেকেই করতে পারতেন। এই রকম কত চুক্তি আমাদের চোখের সামনে, আমাদের না দেখিয়েই ১৯৪৭ সাল থেকে কংগেদ সরকার করছেন। কিন্ত আন্ধাকে এই চুক্তিটা এই রকমভাবে আমাদের বিজ্ঞাপ করে আমাদের এখানে আনা হল এবং আমাদের খারা খাক্ষরিত করিয়ে নেওয়া হচেছ কেন । তার একটা কারণ আছে। এটা কেন হল ? এইটা ত বাইরেই তাঁর। করতে পারতেন। এই রকম কত চুক্তিইত টাটা, বিরলার সঙ্গে এবেরিকানদের হয়েছে। তেমনি আমাদের সরকার আমাদের না জানিয়েই এই Companyর সঙ্গে একটা pact করতে পারতেন: লেটা ২০ বংসর কেন হান্ধার বংসরের জন্যও কবতে পারতেন। তখন মন্ত্রীমহাশর, থাঁরা এই paot করছেন ভারা হয়ত থাকবেন না, তাতে তাদের কিছু এসে যায় না। কিন্তু এখানে বিনটায় আমাদের হারা সই করাবার ৰাবস্থা করছেন কেন, তার একটা কারণ আছে। এই রকম বিলাতী Companyর মালিক যারা আমাদের দেশে আছে তারা ভালভাবেই জ্ঞানে যে তাদের দিন শেষ হয়ে এগেছে, তাদের এখানে পাকবার মেরাদ আর বেলী দিন নাই। আমাদেব বাদ্যমন্ত্ৰী পুকুল সেন মহাশহ, অনেক সময় আমরা ধৰ্ব সোভিয়েট ইউনিয়ন, চীল প্ৰভতি গণ্তান্থিক দেশের কথা বলি তখন তিনি একটু ক্ষিপ্ত হয়ে উঠেন। উনি বলেন যে এই সৰ দেশের কথা কেন বলছেন! কিন্তু ইংরাজ কোম্পানী, এদের বিচার বৃদ্ধি আনাদের সন্ত্রীদের খেকে একট বেশী। ভাই তারা,—এই ইংরাজ Companyর মালিকরা—জানে যে তাদের দিন বনিয়ে এসেছে এবং তাদের চোৰ ৰলে গিয়েছে তার৷ দেবছে যে তাদের ছাত থেকে একটা একটা করে দেশ চলে যাচেছ এবং ভাদের রাজনৈতিক ক্ষমতাও আত্তে আত্তে ধনে পডছে। আজকে ছোট একটা দেশ ইরাণ, শেখানেও বিনাতী ৰোম্পানীকে, তাদের দেশের সাধারণ মানুষের যে সংগ্রাম, সেই সংগ্রামের জ্বন্য সেই দেশ থেকে হর **বা**ড়ী ছেডে সরে প্রতে হচেছ। International Court এর কাছে মামলা নিয়ে গিয়ে তারা সাধারণ মানুদের কাছে এই কথা অন্ততঃ বলতে পারে যে ইরাণ Governmentএর সঙ্গে জামাদের একটা চ্ন্তি ছিল, সেখানে জামর। একটা Company করেছিলাম; তথন সেখানকার সামাজ্যবাদী সরকারের সঙ্গে একটা চুক্তি ছিল এবং সেই চুক্তি क्रि एक एकटल मिरहार् इताराय वर्षमान गतकात। जात चना जाता मरन कतरता जामारमत सम्राम्ब गतकारतत गरक বদি ঐ রক্ষের একটা চক্তি করি তাহলে ঠিক হবে না। কারণ এখন হয়ত দশব্দনে বলতে পারে যে এটা हिंक, किन्छ शरत यथन मत्रकांत आमारमंत्र शरांठ आमर्रय-यथन गंगठान्तिक शर्प मकन बामश्री मन अक्या हरत কোন সরকার পতিষ্ঠিত করবে—তথন ২৪ ঘণ্টার মধ্যে এই চুক্তি ছিঁড়ে ফেলে দেবে। সেইজন্য ইংরাজ কোন্সানী চাইল যে সনস্যাদের স্বাক্ষরিত একটা চুক্তি রাখা দরকার; তা করলে তারা বল্তে পারবে যে আমরা গণতান্ত্রিক উপায়ে এই চক্তি করেছিলান, Assembly থেকে পাপ করিয়েছিলান। তারপর তারা International Courtএর কাছে যাবে এবং বাইরের জনসাধারণকে বলবে যে ভারতবর্ষে সরকারীভাবে এই চুক্তি করা হয়েছিল এইটা এখন ভারা ছিঁতে কেলে দিচেছ। তার জন্য একটা দলিল করে রাখা হচেছ। এর বেশী জার কিছু এই চজিতে নাই। कांत्र शांत्र क्यांत्र व्यापन प्रत्ये ৰলেছেন আমি সে বিষয় কিছু বলতে চাই না। তিনি যে সমন্ত facts and figures দিয়েছেন সেগুলি সত্যি কি না তা প্ৰানমন্ত্ৰী মহাপন্ন জানেন কাৰণ আমি পুধানমন্ত্ৰী মহাপন্তেৰ মত অত ৰড় ব্যবসাদাৰ নই : আমি ৰ্যুৰসার কথা বৃদ্ধি না, তিনি নিশ্চয়ই ভাল বোৰেন কারণ অনেক বড় বড় ব্যুৰসাদারের সঙ্গে তাঁর যোগাযোগ আছে এবং আনাদের যে সার চেরে বড় ব্যবসাদার বিরলাজী, তাঁর সঙ্গেই তাঁর সম্পর্ক আছে: তাই তিনি নিশ্চরই बाबना (बारबन । किन्न चानि এই क्था चानारमन नुताननहीं नशानरबन कारक छनएछ रामान न। रव, रव Tram Companys करा जाताएक नवकारक अंड नवक, त्ये Tramways Company कंड वस्त्रक छात्रा जाताएक দেশে আছে; এও বংসর বারে তারা কড টাকা লাভ করেছে, কড টাকা আমানের দেশ থেকে লুট করে নিরে 11

बिरहरू कुछ द्वांका capital अस्मिन अर कुछ capital ख्रांका निरम हरन निरम्ह । छिनि जागाएम क्रनिरंतरहन त अहे Tramways Company अछ जान यात्र करा। छारबत পुछि छोत्र अछ मन्नम ; किन्द अ कथा। **क्षति मि (द क्षात्रहा नाग्रदा निकाद कर्दादा--क्षात्रात्मह मिक (बंदक नाग्रदा निकाद कर्दर) किन्छ এই (द निजाजी** Company जानातन तम (बंदक जांके क्लांके केंक) निरंत करन शिरद्धक छात्र विकास क करत ? छात्र। त्य capital layout করেছিল এই company পরিচালনা করবার জন্য, তার উপর তারা কত কোট होका निरंत करन शिरतरह? जातारमंत्र रमरन line পেতেছে, कांद्र माशिरतरह कांद्र जना कि कारमंत्र औं काहि টাকা ২০ বংসর পর দিতে হবে ? এই ২০ বংসরে,—শুক্তের বোষনহাশর বলবার চেটা করেছেন বে তারা ২<mark>০</mark> क्वांक होका, किंद भागात शिरादव भारता दन्ती, भड़क: 810 क्वांक होका धरे २० वरनदत्रत महा dividend ছিলাৰে নিয়ে যাবে। নানা খাতে খরচ দেখিয়ে এইভাবে ১০-১৫ কোটি টাকা তার্রা আমাদের দেশ থেকে পারে। কিছ পধানমন্ত্ৰী নহাপন এই বিষয়ের কোন উল্লেখই করেন নাই। কিছ এটা ঠিকই যে এই টাকা ভারা নিত্তে बारन । প्रधानमञ्जी बदागम बरनएइन एवं nation-building schemed जामारगढ जरनक होका अंद्रह कहरू ছর। মর রাকী, দামোদর project পভৃতি বড় বড় কথা বলেছেন। কিন্তু পলিশের খাতে এই বিভক্ত বাংলার Buildingua ज्ञानत्कत्रदे गारेटन वाजिय निएठ श्रायाङ । किन्छ शूनित्तत्र ज्ञाना कन वत्र श्राप्त विभावित ৰলেন নি। তারপর তিনি বড বড আছ কমে দেখাতে চেষ্টা করেছেন যে four per cent. dividend ত এৰপৰ খেকে দেবেই, আৰ এৰ চেয়ে বেশী কি আশা করা যায়। কিছ শীযুক্ত দেবেন সেন মহাশয় যে পশ্ করেছেন আমি তাই আবার পূণা করছি পুধানমন্ত্রী মহাশমকে যে অছের মধ্যে যদি যেতেই হয় তাহলে ৪২ হাজার পাউও খরচ করে six per cent. dividend দিয়েও আগামী বংসর সেখানে ৮৭ হাজার পাইও कि करत बत्र हरद ? जब्ह जामता four per cent. dividend म्ब अगत कथा छन्छि—এ छनि जामता वस्ट পারছি না। হয়ত বলবেন যে four per cent. একটা বড় companyর পক্ষে দেওয়া খব শুক্ত কাঞ্জ नम्र कावन नाना वक्य reserved fund चाएए। याँएमव এই वक्य शावना छात्रा छ निन्हरवाहे बनारवन चामका four per cent. ত dividend পাচিছ এর চেয়ে বেণী আর কি আণা করা যায়। কিন্তু আমি challenge করে বলছি যে আমরা এর চেমেও চের বেশী পেতে পারতাম। এবিষয়ে দেবেনবাব অন্ধ করে দেখিয়ে দিয়েছেন: ভার উত্তর আমরা পাই নি, আমরা পেয়েছি খালি গালাগালি ,—খালি গালাগালি দিলেই উত্তর দেওয়া হয় না, দেবেন ৰাৰ মন্ত ৰভ পণ্ডিত হয়েছেন বললেই হয় না; পৃধানমন্ত্ৰী মহাশয়ের উচিত এগুলি একট দেখিয়ে দেওয়া।

जाति এই कथाই वनिहनाम या जामाएन वादत वादत वाद अहे कथाই मरन रस या भुशनमात्री मरानम जामाएन एस्ट्रेस (मार्ट्स क्षानमात्र) स्वास्ति क्षानमात्र क्षा

পুথানম্বা মহাপায়ের ইতিহাসের শিকাণীকার কথা আমার জানা নাই, কোন ইতিহাস তিনি পড়েছেন আমি জামি না; বোধ হর তিনি ইংরাজের নেখা ইতিহাস পড়েছেন কিন্তু আবরা সেই ইতিহাস থেকে শিকা নিই নাই ।

ৰে বিদ আমাদের এখানে এসেছে তাৰ মূলু কথাটা এই,--তাদের আপনারা ৩ কোটি ৩ নু কোটি বা ৪ কোটি দিন তাতে কিছু এনে বার না। পুধান কথা ঘচেচ ইংরেজের ব্যবসা বাণিত্য আলোহাই করতে হবে তাদের আর এখানে তিরোঁতে দেবা ঘবে না, এইটেই হচেচ কর চেরে বড় কথা; সেখানে ৩ কোটি, সাড়ে তিন কোটি বা পাঁচ কোটির অক আনি এখানে উল্লেখ করতে চাইনে। সজে সজে আনি এই কথা বলব এবং কালকেও

নাৰি বলেছি বে, আনাবের দেশে এই বে বিদেশী ট্রাফকোম্পানি একে যদি আতির সম্পতিতে বা সম্পতিতে পরিপত্ত ছরতে পারস্তার ভাহনে তা থেকে বে লাভ হ'ত তা আনাবের বেশের উনুতির জন্য, জনসাধারণের জন্য ব্যর করতে পারস্তান। কিছ পূর্তাগ্যের বিষয় বে তা হচেচ না (A voice from the treeasury benches: বু'লিক থেকে।) হাঁ দু'লিক থেকে। তারা এখান থেকে অসংব্য,—চাকা এখনো অসংব্য টাকা লুটে নিরে বাবে আর বে dividend দেকে সেটা 8 per cent. বা তিন per centই হোক———

(At the stage the House was adjourned for 15 munites.)

#### (After Adjournment.)

Si. JYOTI BASU: স্পীকার স্যার, আমি এই কথা বলার চেটা করেছিলাম যে, আমাদের দেশ (बंदक बांट्ड এই Tram Company बाब होका ना निरम त्यांट शारत এই रावचा बामता बाना करतिकृत्वन ও ৰনে করেছিলার যে এই স্বাধীন সরকারের পক্ষ থেকে করা হবে। কিন্তু তাতো দেখতে পাচিছু না। আহাদের চিত্তা এনেছে, সরকারের এসেছে কী না জানি না। যদি এই Tram Company চালু রাধবার জন্য বে সমন্ত দ্বিনিদের প্রয়োজন হয় এবং এই সমস্ত জিনিদ আমাদের দেশের কলকারখানায় তৈরী হতো এবং এই সমস্ত মুন দিল্প আমাদের দেশে গ'ড়ে তুল্তে পারতাম তবেই আমরা সত্যিকারের মৌলিক **স্বাধীন**তা ও অর্থনৈতিক স্বাধীনত পেতে পারতাম। কিন্তু পুধানমন্ত্রী ও তাঁর বন্ধুবর্গ বাঁরা এখানে মন্ত্রী হয়ে বলে আছেন তাঁরা তো একথা একবারও ভাবেন না। তাঁদের মধ্যে দেশকে নৃতন ভাবে গ'ড়ে ভোলবার চিন্তা দেখা যায় না। এটাই আমার সব চেরে আশ্চর্য্য লাগে। কারণ এটা আমরা জানি অনেক স্থানে Tram পুরাণো বলে পরিত্যক্ত হয়ে যাচেছ। ১০ বৎসর আগে বিলেতে দেখে এগেছি টুলার বাস পুতৃতি  ${f Tram}$  এর স্থান দখল করছে। কিন্তু আমাদের দেশে এখনও Tramএর পুরোজনীয়তা আছে। আমাদের দেশে বর্তমান অবস্থায় অনেক বানবাহনের প্ররোজনীয়তা আছে। গেদিকে আমাদের দেশের Tramএব দরকার আছে। এই জন্যই আমি বলতে চাই যেমন কোরে হউক Government এই Company nationalise কোরে ফেলুন। কারণ এই ইংরেজ Company যারা মালিক জারা वित्तरा वरतरे यामारमंत्र रमरनंत्र लाकरक विकास कार्यान घरण्यान घरण्यान धारामंत्र Government ২০ বংগরের চুক্তি কোরে যে Advisory Committee তৈরী করছেন এর মধ্যে সরকারের তরফ থেকে Companyর সঙ্গে কোন বাধ্যবাধকতা নাই। এই চুক্তির মধ্যে কোধামও দেখতে পেলাম না Companyকে বল হয়েছে তোমরা শুমিককে যারা নাকি  ${
m Tram}$  চালু রেখেছে তাদের বাঁচবার মত মন্ত্রী দেবে। একথা বলা ्रााक्षन वरल जात्रापद गदकाद गरन करदन ना। जात्रापद भुशनमञ्जी वरलरहून रा, जिनि नाकि businessman হসাবেই চুক্তি করেছেন; কিন্তু শুমিকদের বাঁচবার বত কোন কিছুই এর মধ্যে দেখতে পাচিছন। আবি একট টনার কথা বলুছি; সংবাদপত্ত্রে বেরিয়েছিল যে, এইরকম একটা আমলাতান্ত্রিক কোম্পানি শ্রিকদের ঠিকমত মাইনে দিত না। সেখানকার সরকার ২৪ ঘণ্টার মধ্যে আইন ক'রে এমন ব্যবস্থা অবলম্বন করেছিলেন যে, শেম পর্যান্ত Companya manager শ্ৰাকদের কাছে ক্ষমা প্ৰাৰ্থনা করতে বাধ্য হয়েছিল। অত্যন্ত দু:বের সহিত বল্ডে হচেছ্ গতকাল P. C. Sen. महानग्न बरलिছलেन এইরকম ভাল Company ভারতবর্ষের মধ্যে দেখা বার লা। তাঁর বোধ হয় এ কথা স্মরণ নাই যে Tramways Companyর শুমিকরা যত বড় strike করেছিল তত বড় strike আর ভারতবর্ষে কখন হরনি। এই Tram Companyর মালিকদের বিরুদ্ধে শুষিকরা ২।১ মাস ধ'রে হরতাল করতে বাধ্য হয়েছিল। শুমিকরা ইচ্ছা কোরে হরতাল করে না , শুমিকরাই তাহ'লে অনাহারে থাকে। এটা ভৰু আমি তাঁকে সাুৱণ করিয়ে দিতে চাই। তাঁরা বলেছেন যে এটা Best possible agreement কিন্তু আমি বলছি এই বিলের মধ্যে শ্রমিকের সঙ্গে Companyর ২০ বৎসর ধরে কি সম্পর্ক থাকবে এটা বিলের মধ্যে উল্লেখ করলে কি খুব অন্যায় হতো। এটা কি পুধানমন্ত্রী এবং তাঁর বছুবর্গ একটু ভেবে (पर्वदवन ।

ৰিষ্টাৰ শীকাৰ স্যাৰ, আৰু আৰি সন্দে সন্ধে এটাও বলতে চাই বে হঠাও দেখলাৰ ট্টাৰেৰ ভাড়া বেড়ে গেল। কিছ শুনিক ও জনসাধাৰণেৰ কথা একবাৰও বিবেচনা কৰা হলো না। আৰৱা জানি Companyৰ লাভ হচেছ, সত্য নিধ্যা জানি না। আৰৱা পুাৰই দেখি বড় বড় businessmenনা সৰকাৰকে tax কাঁকি দেব, তাঁহা দুই তিন ৰকবেৰ বাতা বাবেন এবং কাগজে দেখুতে পাই আনাদেৰ দেশেৰ বড় বড় ব্যবসায়ীয়া একশো কোটি চাকাৰ উপৰ tax কাঁকি দিৱেছেন। তাঁবেৰ বধ্যে জনেক মনীজেৰ বছুও আছেন। আৰৱা দেখছি বে, Tram

Companya शहद नांख शहक, किंद्र नवकारदद शंक खंक खंक खंका कवारनांव खान कहे। स्वयंनांव ना । वदः ভাতা দিনের পর দিন বেড়েই বাচেছ। ভাগে mid-day, transfer ticket পভৃতি পাওরা বেড, কিছ क्षर्यन रा नवस्त्र केहिरत राख्या शरतरह। जनमा भुशानवतीत व नव क्या झानवात क्या नत, कार्य जारक है। रव ্লাভতে হর না। তাঁর পরসার জভাব নেই। জাষার আর বেশী বলবার নাই : আরি শুব এই বলব বে প্রধান-बडी बहानम कान बरनिहरनन रम छिनि जानारमंत्र Election speech स्पन्नात स्वरात करत निरंतरहन। छात्रा এ। ৰৎসৱ রাম রাজয় চালাবার পর আমাদের Election speech দিয়ে Election জিভতে হবে? তবে তো স্কৃতিন ক্যাপার হয়ে দাঁডাবে। আমাদের সরকার জনসাধারণকে খেতে পরতে দিতে পারে না , বাভীর বেরেরাও একখা স্কান থেকে সন্ধ্যা অবধি ব্রতে পারে; একখা বোঝাতে কোন অমুবিধা হয় না. আয়াদের খাদ্যমন্ত্রী প্ৰকল্প কেন নানা আৰু উল্লেখ ক'রে যত বড় বড় বড়ভতাই কক্সন নাকেন, আমি অবশ্য তাঁর বক্ততা কোন দিন क्रिनि ना. किन्छ कांग्रेख ना পড়ে उ' পারা योग्र ना। क्रियु व्यक्त निरंग्राका পেটের खाला निरांत्र कर्ता योग्र ना। चानि (दनी argument कराए हारे ना, argument करावा किरे वा चाइह। चानि ७४ वही चानाएड ছাই যে, সরকারকে দেখাতে চাই এই যে দাসম্বের চুক্তি করেছেন এতে সাধারণ মানুম দাসম্ব বছনে আবছ হতে ৰাধা। এখন এখানে ষখন এই বিল পাল করানোর চেটা হচেচ ঠিক এই সময়ে Wellington squared Tram Companyৰ दाखाव दाखाव नुभिक ও कर्मठावी नेमरवि द्राय এই नावी छुन्छ এই Tram Company আতীয়করণ করতে হবে। এই সম্পত্তি তো জাতীয়করণ করতে হবেই, ইংরাজের আর যে সমন্ত সম্পত্তি আছে ছাও ছাতীয়করণ করতে হবে। এর মধ্যে Electionএর কোন কথা নাই। আজকে যদি পশ্চিমবজের সাধারণ হানঘকে ঐক্যবন্ধ করতে না পারি, এই সরকারের বিরুদ্ধে ঐক্যবন্ধ সংগাম ক'রে এই সমাজকে দাসম্বদ্ধধলম্ভ ৰুৱতে না পারি তবে জ্বনসাধারণের বাঁচবার কোন রাস্তা নাই। যতদিন এই সরকার আছে ততদিন এই চক্তিও আহবে। এই Tram Companyকেই আমরা পূর্ণনে জাতীয়করণ করব, কারণ ইংরাজ আজও আছে, ভার। এখনও যায় নি। এই সঙ্গে সঙ্গে এই সরকারকেও জানিয়ে দিই তাঁদের অত্যাচার শেষ সীমায় এসে পৌছেছে. আঁদের আর বেশী দিন রাজভ নাই।

Mr. SPEAKER: Before I call other speakers to speak I wish to draw your attention to the fact that we are already two days late according to the schedule before us. So I would request the speakers to make their speeches as short as possible.

The next point is, that almost all the points have been raised at the consideration stage, and I do not think much useful purpose will be served by repeating the same arguments over and over again.

Thirdly, I wish to invite the co-operation of the members of the Opposition that we have got the Puja holidays next month before which, if possible, we shall have to finish our business. The Calcutta Municipal Bill is a big Bill and naturally it will take some time, and thereafter we shall not have much time because the General Election is coming. I feel, so far as the Opposition is concerned, they have made their opposition as vehemently as possible. They have dealt with every clause of the Bill, and I would request them to see how far they can save the time of the House. I do not wish to fetter, so far as possible, their discretion in this matter. At the same time, I would request the members to see that the time of the House should be saved so that we may be able to finish our business as quickly as possible.

8j. 8iBNATH BANERJEE: त्रि: ग्लीकांत्र नगांत, जांशित द उल्पत्तन पित्तन, उ। जांति वंजीत शुक्षांत नप्तल उत्पत्ति किक जांशितांत नप्तल वक्क इस्त शांति ना, कांत्रभ द programme जांत्रादन नांति वात्रम जांत्रम जांगा इस्तरह त्रिंगे जांत्रमा जांत्रम कि ति, शंवर्भर कि करताह । Programme कि क्वतांत्र नम्ब विक्रितांत्रम वात्रम विक्रितां कि जांति कि नांति वात्रम कि विक्रितां कि कि वात्रम कि विक्रितां कि वात्रम कि विक्रितां कि वात्रम कि विक्रितांत्रम कि विक्रितां कि वात्रम कि विक्रितांत्रम कि विक्रितां कि वात्रम विक्रितां कि वात्रम विक्रितां कि वात्रम विक्रितांत्रम विक्रितांत्रम विक्रितांत्रम विक्रितांत्रम विक्रितांत्रम विक्रितांत्रम विक्रितां कि वात्रम विक्रितांत्रम विक्रितांत्र

बना शहरह, अहे। चीकात कता ठेडिए। कारण कारणरे बातता त् न्यस antiondment move कतरफ किर्मित, त्मश्री बार्गान त्मश्री वार्गान तार of order करत मिर्मुन, त्मरे मनत कार्गामत protest कता ठेडिए हिम, किछ त्म मनत ता खार्गान वार्गान वार्गान तार कार्गामत कर्मामत कर्

8]. JYOTI BASU: On a point of order, Sir. I think you made a slight mistake when you said that the Pujahs are intervening and after that there will not be much time left. But the Hon'ble Chief Minister made it clear that there will be another session of the Assembly. Therefore, we are not very much pressed for time.

The Hon'ble Dr. BIDHAN CHANDRA ROY: No, I think, you made a mistake. There will be another session probably in February next because this Assembly does not disappear until the election of the Upper House by the new Assembly—until that time we will continue.

Dr. SURESH CHANDRA BANERJI: May I ask the Government through you, Sir, why in spite of having such a big agenda, they did not start the session of the Assembly earlier. We have got so many important bills and such a big agenda. Coming at the last moment, it does not lie with them to say "Be quick". Why did they not come earlier? There was enough time. They might have come one month earlier. Who prevented them from doing that? Now, having come so late, they are requesting us to be quick. It does not lie in their mouth to say so.

The Hon'ble Dr. BIDHAN CHANDRA ROY: My only difficulty is that if my friends opposite were to restrain themselves to arguments which are really germane to a particular problem, probably time will be saved.

Dr. SURESH CHANDRA BANERJI: That is a matter of opinion.

আমি একটা পুশু করেছিলাম পুধানমন্ত্রী মহাশয়ের কাছে যে, গভর্ণনেণ্ট কেন আরও আগে থেকে session

আরম্ভ করলেন না ? তিনি এর উত্তর দেন নি। এর উত্তর দিলে ভাল হ'ত।

The Hon'ble Dr. BIDHAN CHANDRA ROY: যে time-table হবেছে কেই time-table অনুসারেই কাঞ্চ আরম্ভ হয়েছে।

Mr. SPEAKER: I may say that what I stated was simply an appeal to the speakers. I have not yet applied the rules upon the speeches made. In spite of the fact that members are certainly entitled to have a proper and full discussion on the questions which are before the House and I will not in the slightest degree prevent them from doing so, at the same time we have got to keep it in mind that; after all, there must be a time-table for the House to be followed. Therefore I would once more request them that they should cut short the number of speakers of the same party. If at the consideration stage, third reading and other stages, so many speakers of the same party speak, then it becomes very difficult for me to control the time of the House. I am simply to control the time of the House so that utmost business may be put through within the requisite time. I do not want to stifle discussion in the slightest degree, but, at the same time,

I would appeal to you not to take up more time than is necessary in order to have your voice heard. This is simply an appeal which I hope you will remember in course of your speeches. As yet I have not enforced any rule.

- SJ. SIBNATH BANERJEE: Mr. Speaker, Sir, আপনি বে appeal আনাদের টুপর apply করেছেন, আপনাকে অনুরোধ করছি বে এই appealটা Government sideএতে apply করে ব্যবহা করুন থাতে তাঁরা time-tableটাকে একটু recast করেন।
- Mr. SPEAKER: So far as Government side is concerned, there has been only one speech, but so far as the Opposition is concerned, they have had so many speeches. So, how can I appeal to the Government side?

The time-table is there. We are already late. The business of the 17th is still proceeding although today is 20th. After all, we have got to sit longer hours then. That will also be difficult for you. So, it is for you to decide. I have got nothing to do with it but to draw your attention to this fundamental point. If you wish to speak, how can I prevent you? Therefore, what I have stated to you is the necessity of confining your speech to the fundamental points which are necessary to be brought before the House and not to dilate upon the same subject.

- 8]. SIBNATH BANERJEE: You have been not only fair but you have been indulgent. On that I have no dispute, but when you made an appeal, I would request you to divert that appeal to that direction also.
- Mr, SPEAKER: So far as time-table is concerned, you know the time-table is there and it is for you either to keep to the time-table or extend it as much as possible. Nobody can prevent you from doing that. But you have got to take into account the present position and you have got to curtail your time accordingly.
- 8j. SIBNATH BANERJEE: Three times I wanted to finish my speech and three times you stopped me. Please give me two minutes and I will finish. এখানে একটা ব্যাপার দাঁড়িবেছে এই যে Government চাচেছন যত কম সময় আমাদের দিতে পারেন আর আমবা চেটা কবছি যত বেশী সময় নিতে পারি।
- Mr. SPEAKER: It is not a question of time being given by the Government.
- 8j. 8lBNATH BANERJEE: এটা যদি না হয় তাহলে আমরা যাতে বেশী time নিজে পারি সেই চেই। করব; এটা human nature. আমাদের সঙ্গে যদি একটা ৰোখাপড়ায় আগতে পারেন time-table নিয়ে, যেমন ট্রামওয়ে কোম্পানীব সঙ্গে আগতে পেরেছেন, সেই রক্ষ ভাবে একটা time-table করুন।

League Ministryৰ সময়, আমরা অনেকেই এক বিনিটের বেশী হয়ত জনেক সময় বলতে পারি নি, এবং তাঁরা যেমন time-table কবতেন তা আমরা strictly follow করেছি। সুতরাং সেইভাবে যদি একটা time-table করা যায় তাহলে we shall strictly follow it, as we strictly followed it in the past. We did it during the League Government and during the other Government. You remember it very well. If two whips sit together এবং প্রামণ্করে একটা programme করা হয় তাহকেন কাজ চালাতে কোন অস্থাবিষা হয় না।

Mr. SPEAKER: May I request you to make the two whips sit together and formulate the time-table?

SJ. SIBNATH BANERJEE: Do it to morrow.

the time of the House. The new suggestion has come that both the whips should sit together and they should formulate a time-table. If they do not agree, the Speaker will decide as to how much time will be given to the different parties.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have no dispute on that point. My difficulty is that I do not know whether the Opposition do really follow one whip. I do not know yet whether they have formed a party and whether there is a whip who would be obeyed by others. Then he could come and discuss with us, but I do not know that.

Mr. SPEAKER: Is it possible for the Opposition to choose some person on behalf of the Opposition with whom the Government can deal?

Shaikh MOHAMAD RAFIQUE: We should not be forgotton.

SJ. SIBNATH BANERJEE: It is not possible to give a reply off hand. We shall consult amongst ourselves tomorrow and give a reply. In any case, the Krishak-Praja-Majdoor Party has got 9 members.

Mr. SPEAKER: This has to be done. There must be a time-table for every transaction of the House—either it is by rules or by agreement or by some sort of convention. Now, a suggestion has come that let the whip of the Government decide with the whip of the other side as to how much time should be allotted and they should be prepared not to take more time. Now, you have to let me know the names of persons who would represent the different sections of the House.

Now, let me know as to how many more members there are to speak on this motion. There may be one or two members from each section and not 10 or 15.

Shaikh MOHAMAD RAFIQUE: Let us now adjourn today.....

Mr. SPEAKER: I am not in favour of this dilatory procedure. The time of the House is very valuable and we must make the full use of the time at our disposal. So far as the members of the Opposition are concerned. I would request them to give me the names, so that in consultation with the Chief Whip of Government I can fix the time-table. Otherwise if we proceed on like this, I think it would not be possible for us to conclude the Bill even by the end of October.

8j. PRAMATHA NATH BANDYOPADHYAY: মাননীর শীকার মহোদয়, আপনি
আমাকে বলবার অনুমতি দেবার পর অনেক সময় অতিবাহিত হরে গেল। বর্ত্তমানে গার্ডগরেলট ও ট্রামওরে
কাশানীর সক্ষে যে agreement হয়েছে আমি তার বিরোধিতা করছি। ৫০।৬০ বৎসরের অধিক কাল বরে
নামরা, যারা রাজনীতির সক্ষে অভিত, আবরা দেশের পুত্রেকটি মাবীনতা আন্দোলনের পুথম থেকে শেষ পর্যায়
রেখে আসছি। তথনকার দিনে আমরা বর্ধন ফদেশী আন্দোলন করেছিলার তথন আমরা এই ধারণা নিরেই সময়
গুলার বিদেশী দ্রব্য বর্জন করেছিলার। এবং সেই সময় বিলাতি দ্রব্য বর্জন করতে পিরে আমাদের নানা
শুলার দুংবকই ভাগে করতে হরেছিল। সেই সময় আমরা মনে করেছিলার যে যদি আমাদের কথনও দিন
আনে তাহ'লে ইংরাজের বে সময় শোঘণের উপার আছে সেই সময় পোমণের উপার বছ করবাে, সব ক্ষমতা
আমাদের হাতে পেরে। কলিকাতা ট্রামওরে কোশানী, ইলেক্ট্রক্ কোশানী এবং গ্রাস্ কোশানী পুত্তি এইওলি
ইংরাজ কোশানীর শোমণের একটা উপার। আজ আমাদের দেশ স্বাধীন হবার পর বদি আমরা সেই সময় ইংরাজ
কোশানীর বে সময় ব্যবহা আছে এবনও পুট করবার, সেইওলি বদি বছ করতে পারি ভাষতে আমাদের দেশের
ক্রেক্স প্রতর্গবেশ্টকে ব্যাবাদ দেবে এবং ক্রমী হবে।

তিছুদিন আবে তনেছিলান কনিকাতা কর্ণোদেশন, Calcutta Electric Co.ব তার নিজের হাতেবে ধেকে ববং একজন Engineer বনেছিলেন যে যদি কনিকাতা কর্ণোদেশন এই ক্যোলালীয় ভার নিজের হাতে নেই,

আ'ললে এবন ব্যবস্থা করা বাবে বে এই ইংরাজ কোশানী বে rated eletricity সকলেছে করছে তার क्रदाश जातक करन electricity गतनतार कहा वारन। किन्न छन्न देश्वाच त्राचरवत्र रच शहन क्रमहिन, छात-জনাই নেই Engineerএর বে পরিকল্পনা বা তার বে ব্যবস্থা তা কার্য্যকরী হতে পারে নি। আজকে বে blaver क्लाम्नानीत गरक agreement चात्रारम्य शंखर्गरवन्ते कत्रकान, चात्रि छानि स्व এই agreement क्रबराब शूर्त्व जानारमब रिरानेब रामक जाना ना रव धरे ब्रक्त धक्छ। agreement इत्रहा। धरे agreement कत्रवात शर्ट्य (मर्ट्यत माक स्कूछ स्नान नि स्व अहेत्रश अक्टो agreement इत्कृष्ट २० वर्श्यस्त सना। अहे ২০ ৰংসর পরে ট্রাম কোম্পানির কি অবস্থা দাঁডাবে আমরা অনেকেই তা দেখতে পাব কি না সম্পেহ। এবং को: ब्रोरविश् (वांच हर ता प्रत्वांग हरन ना । किन्न चानवा नीर्घ २० वश्यवित करा चानात्मक *वार्*गव अको। लोक्समक बाबनाबरक देशतरमञ्ज शास्त्र व निरंग राजान, এत मना अर्थना लाक मानामत निमा कतरह अर छिबगर बर्ल्यद्वता चादा दली निला कद्रदा जातात त्रदा हात हत है। द्वालानि हानावात क्रमा यहि २।८।८ द्वांकि होका স্থাতিও দিতে হয় সে স্থাতিটা ভবিষ্যতে লাভ থেকে উঠে যাবে। আর. গভর্ণবেণ্ট যদি এটাকে নিজে কিনে নিরে দেশের লোকের কাছে তার জন্য টাকা ধার চান ভাহলে দেশের লোক আগহের সহিত এই কোম্পানিট। क्निनात बना होका थात प्राप्त । এवः शंखर्गरान्देशक थनावान निष्कु कार्मना कत्रत ना । कात्रन शंखर्गरान्देशके ৰৎসন্তের জন্য ইংরেজের হাতেই কোম্পানিটাকে ছেভে দেয়ার জন্য আমি এই বিলের বিরোধিত। করছি। গত ৬০ ৰংগৰ ধৰে আৰৱা যে ৰনোভাব নিৰে চলে এসেছি গভৰ্ণনেপ্টের বর্ত্তমান ব্যবস্থা সেই মনোভাবের সম্পর্ণ ৰিরোধী হয়েছে। ফলে দেশের লোকের আশা তো পূর্ণ হয়ই নাই বরং তারা নিশা করেছে। আমরা যধন नकन निर्वाहरनंत्र बना वादित दृष्टेया यादेरकि काः बाग्र बरलरकन, "बागायी निर्वाहरन बालनारमत এकहे स्वविधा করে দিলাম" অবশ্য ঠাটা করে বলেছেন কিন্তু এ ছারা আগামী নির্বাচনের কোন কিছু স্থবিধ। করছেন কি না ज्ञानि ना। কিন্তু দেশের লোক যদি বলে, ট্রাম কোম্পানির এত লাভ, এই লাভজনক ব্যবসায় হাতে নেওয়ার জন্য দেশের লোকের কাছ থেকে কেন টাক। নিলেন না তখন তার উত্তরে আমাদের বলবার কি থাকবে. चानि नवरू পারি না। এই জন্য যে চ \ হয়েছে, তার বিরুদ্ধে আদি মত প্রকাশ করছি এবং আদি জানি যে चानि त्य विकृत्क मेठ श्रकान कर्नाष्ट्र, त्योग, बारमद चानि represent कर्नाष्ट्र, जाता चानात्क समर्थन कर्नात ।

8j. KANAI LAL DE : বরেণ্য সভাপাল বহাশয়, আমার বেশী বলার ইচছা নাই আর বেশী বলবার সৰৱও নাই। যে সমত কথা বলা হয়েছে তাই যথেট। আমাদের পধান মন্ত্রীমহাশয় বিনি এই বিল উপস্থিত করেছেন তিনি যদি সে সমন্ত কথা পোনেন এবং দেশের দিকে তাকিরে, ভবিষাৎ বাংলার দিকে তাকিরে যদি िक्त एन कथाश्वनि बिरवहना करत एएसन छ। इस्ति **बाबाए**न बनाइ नार्धकछ। शास्त्र । देशस्त्र निरुप्राजिएन দিকে দা চেরে এবং তাঁর বেসব বন্ধ ইংরেজ শিচ্পপতিদের দলে ছাত মিলিয়েছে তাদের দিকে না চেয়ে তিনি यपि (पर्शन पिटक जाता) करत ठाकान जाशल जामाराम्य जात (वनी किछ बनात भारक ना । (य উष्मिन) निष्क এই Agreement করা হয়েছে আমার শুদ্ধের বন্ধু শীযুক্ত জ্যোতি বস্তু মহাশন তা উদ্বাটিত করেছেন। স্থতরাং শে বিঘয়ে আমি আর পনরুক্তি করতে চাই না। আমি তথ কয়েকটা কথা দেই সম্বন্ধে বলতে চাই যা মাননীর পুধানমন্ত্রী মহাশয় গত কল্য বলেছেন। তিনি প্রায়শ:ই লোককে শুেঘ করে কথা বলেন। কিন্তু একথাটা তাঁর ভাৰা উচিত যে তিনি যদি অন্য লোককে শ্রেম করে বলেন তাহলে তাঁর সম্বন্ধেও অন্য লোকের সে অধিকার ররেছে এবং সে অধিকার তারাও দেখাতে পারে। আমি বলেছিলাম কলকাতা সহরে এত congestion ছয়েছে যে বাসে টানে ওঠা যায় না. উঠতে পারলেও পারই গাঁডিয়ে থাকতে হয়। পাকিস্তান থেকে বছ লোক এখানে আগার দক্ষণ জনসংখ্যা বিশ্বর বেড়ে গিরেছে; সেই জন্য কলকাতার চারদিকে ট্রাব লাইন সম্পুশারণ করার কথা আমি বলেছিলার। তার জবাবে তিনি বলেছিলেন, কি করে সম্পানারণ হবে? সম্পানারণ করতে বে होका नारंग छ। जानि जानि, छिनि जानारक (पुष करत नरलिहरूलन रव, कानारेनान रमत रहरत I am bigger industrialist. তিনি বে bigger industrialist তা আৰম্ম আনি, এবং এটাও আনি বে সেইজনাই তাঁর গরীবের পৃতি দরদ নাই, কেবল পিলপপতিদের জনাই দরদ।

The Hen'ble Dr. BIDHAN CHANDRA ROY: On a point of personal explanation, Sir, I never compared myself with Sj. Kanai Lal De. Neither did I say that I am a bigger industrialist.

8j. KANAI LAL DE: তারপরে তিনি বলেছিলেন, জানি বে সহরতলিতে train line সম্প্রারপেক্ষ করা বলেছি তার জন্য তিনি বলেছেন, Kanai Lal De is interested (The Hon'ble Dr. BIDHAN CHANDRA Roy: I never mentioned the interest of Sj Kanai Lal De at all.) আনার ব্যক্তিগত কোন interest নাই। তাতে interest আছে পূর্বক খেকে বেসব উহার কলকাতার আন্দেশালে একে বাস করছে তালের। আর interest আছে তাঁর বছু ধনিকদের বারা কলকাতার আলে পালে ছাজার বিয়া জনি কিলে রেপেছে নানবাত্র লাবে, এবং সেই সর জনি এবন অতি উচচ বুলো বিতম ক্রছেন।

Mr. SPEAKER: Order, order. Are we discussing the Calcutta Tramways Bill or something else?

- 8j. KANAI LAL DE: আনার বন্ধৃতা এখনই শেষ করছি। তার আগে একটা কথা বলছি—
  রিষধ্যন এই যে বাংলা দেশের লোকদের বঞ্জিত করবার জন্য, তাদের ক্ষতি করার জন্য এবং আরো ২০ বৎসর
  তাদের ইংরেজের পায়ে বেঁথে রাখবার জন্য এই যে বিল আনরন করেছেন তার আমরা পুতিবাদ করছি। হরত
  ভোটের জোরে তারা এটাকে পাশ করিয়ে নিবেন, কিছু এও জানি ভবিষ্যতে এই বিলটা পদদলিত হবে।
- Si. SIBNATH BANERJEE: বাননীয় স্পীকার মহাপায়, বজুতা সংক্ষেপ করার জন্য বার ৰাৰ আপনি অনুবোধ করেছেন। আমি বধাসাধ্য সংক্ষেপে বলবাৰ চেটা করব। কিছ আমার পূর্ববর্তী বন্ধারঃ বা বলেছেন তার প্নরুক্তি না করেও আমার বক্তব্য একটু লয় হতে বাধ্য। 🚈 বণ আমরা discussionএর সময় বেশী কিছ বলতে পারিনি। এখন কিছু বলার দরকার হবে। কাল মন্ত্রী শুীযুক্ত হরেণ রায় চৌধুরী বলেছিলেন (The Hon'ble Rai Harendra Nath Chaudhuri: আয়াকে কেন টানছেন আবার?) विनिध् यथेन शान इत्य बाद छथेन नकरनकर will have to face responsibility. अक्थोंने नहा त्य oppositionএরও responsibility থাকে। কিন্তু পাছে কেউ ভুল না করেন যে এই বিলে আনাদের সমর্থন ৰমেছে। সেই জনাই আমরা স্পষ্টাক্ষরে পতিবাদ করছি বাতে এই বিল পাশ করার কোন responsibility না থাকে। আমি ১৩ বংসর যাবং এই হাউসের oppositionএ ছিলাম ও আছি। এক বছর আসি নাই চ অবচ এখানকার সমন্ত দায়িত্ব লীগ আমল থেকে আজ পর্যান্ত opposition memberএরও এ একটা অভতপূর্ব বৃষ্ঠি দেবছি ∤ কাজেই আবরা যে এটা একেবারেই পছল করিনা তা আমি পরিস্কার করে বলঙি। কেবল স্কন্ধ ৰার। তারাই তথ বঝতে পারবে না যে আমর। এই বিলের সম্পর্ণ বিরোধী ছিলাম এবং এটা মন্ত্রীদল পাল করেছেন in the teeth of opposition Publics যে এটার বিরোধী সে কথাও আমরা বার বার জানিরেছি। যদি পরকার হয় যেমন যেমন কাশ্বীরে হচেছ-Plebiscite-গণ ভোট নিন, কিছ জানি নলীর। তার ধার ধারবেন লা। (a voice—Plebiseite নিমেই ত বাংলা ভাগ হমেছে) হাঁ তা হমেছে বটে কিন্তু তার তেমন একটা gravity ছিল না, বাংলার একটা কথা আছে আমড়া গাছে নেংড়া ফলে না। किন্ত Synthetic Processa under Pressure under scientific managementa ফলেও। ডা: রাম সমাজভরীদলের সমর্থক নন্ তিনি nationalise করতে রাজি হবেন না , তিনি টাম বিলের সঙ্গে Socialisms কথা তলে শ্রেম করে গালা গালি দিয়েছেন। কিন্তু আমি Bismarkএর মতন বড বড লামের সঙ্গে তাঁর তলনা করব না করলে বোধহয় তিনি লম্মিকত হবেন। তবে একটা কথা তাঁকে জ্লোরের সঙ্গেই বলতে পারি ইতিহাসে এমন নম্মির রয়েছে--যে Socialismus निका शांता अपन नव काम्र इत्प्रत्क या नाकि जिनि म्हारन ना , जन्म follow कन्नत्कन । এবং আমি আশা করি তা: রায়েরও সেই রকম ভাবেই শুদ্ধি হবে। তবে আপাতত: আমি তার কোন চিচ্ছ দেৰতে পাচিছনে—(laughter)। আৰ একটা আদি বৰাবৰ জানতাম যে এবানে তিনি ডাক্টাৰ ছিসেবে অপুতিহলী। কিন্ত কাল তিনি নিম্নেই বলেছেন আমি একজন ভাল business man-business এ গ্ৰ পৰিপৰ্ক। কিন্ত আৰি জানতে চাই কৰে থেকে তিনি businessএ পৰিপক্ক? তিনি কি business কৰেৰ তা জানি না, তৰে তাঁৱ নাৰ জনেকে director হিসেবে ব্যবহার করে। তিনি যে administrationএ ৰুব পরিকৃক এটা স্বীকার করি। আর ডাক্সর হিসেবেও যে পরিপক্ক তা সকলেই জানে কিছ তাই বলে, business হিসেবে বে পরিপক্কভার claim তিনি করেছেন সেটা মানতে রাজি নই।

আনাদের পূর্ভাগ্যক্তমে যে figureঙালি পেল কাল supply করা হরেছিল, তার স্থবোগ তিনি নিতে পারেফ নি। আল আনাদের কাছে বে facts বারেছে তার বেকে দেবা নার বে socialise, municipalise, nationalise করার জন্য Dr. Banerjee অনেকঙালি amendment দিয়ে ছিলেন। Mr. SPEAKER: Mr. Banerji, when you go into the figures please see that the figures and all the criticisms that have been levelled by Mr. Deben Sen are not repeated.

Si. SIBNATH BANERJEE! তাঁর। হিনাব করে দেবিরেছেন ২১ লক পাটও। তার ভিতর 4 por cent. र'त्न ৮৭ शामात pound रत । चानि नन्त्छ हारे बहा बक्हा दिनात्वत छून । बचारन स्ट्रानत বোন বান নাই, কারণ প্রবে হচেছ share capital a লক পাউছ। Capital Reserve for replacement and renewal ৭০ হাজাৰ পাউও, ৰাইৰে খেকে investment নৱ। সেই এ লক্ষ্ণ ৮০ হাজাৰ পাউও শেটাও বাইরে থেকে investment নর। Revenue Appropriation account ৭০ হাজার, এটাও বাইরে খেৰে investment নর। ভাহলে নোট হিসাবে 9 per cent. ৰত পড়ে। কাজেই যে 4 per cent. or the investment capitalus क्या बना शरप्राट्ड छाएछ ४५ शक्तांत्र शासिक शर्म ना, कर श्रव । त्व ३ जन होना reorganised शताह हा (धार की शताह)। जानात की नाशत (धार मः) कता शताह। эььо जारन यथन এই Company started इस छथन आठ तक शाहिश वर्षाए हट तक वा छेई मरबा ৫০ লক টাকা হতে এটা করা হয়েছিল। এর পরেও যদি 4 per. cent. ধরা হয় তাহ'লে তো আর কথাই नारे। এর বিসাবপত্র পাওরা যায় না। ১৯০৬ সালে যখন reorganised হর সেটাও আবাদের সামনে রয়েছে কাজেই তাঁর। যে হিসাব করেছেন সেটা একেবারে অন্যার করেই করেছেন। তবু তাঁর। ২১ লক্ষ পাউও ধরেননি আরও বাড়িরে ৩৭।।০ দক্ষ্মটেও ধরেছেন। কাকেই এই যে বিরাট কাঁক ররেছে হিসাবে এটা দেখাবার জন্য বাদ্য facted বাবাৰ পৰকাৰ ইন না। কিন্তু এটা বে capital থেকে সংগৃহীত হরেছে এটাতে নিশ্চরই छीरनव गृष्टै चाकुटे शरतरक्। स्मरवन राज बनावे स्मिरतरराक्त रव, विमारवत जून तरप्ररक्। On the basis of facts supplied by us and on the interpretation made by us on the facts supplied by him ভাতে वन्एं भाता यात चावात और क्लान्नानित गटक contract পরিবর্তন করা সম্ভব, amendment করা সম্ভব। ভোটে আমরা জিতবনা জানি, কিছ বে বন্ধি কালকে দেওৱা হয়েছিল তার বিরুছে তিনি किছू वन्दिन ना। छाँता छा निष्मलन five-year's plands गर्था चावक करत्रहरून। २० वश्यत शर्ध कहा চালাৰার কোন প্রোজন নাই। এখন তিনি যদি convinced হন তাহ'লে আমি আলা করব তিনি এই -oontract পরিবর্ত্তন করার চেষ্টা করবেন বাতে তাঁরা ভার কাঁকি দিতে না পারেন। আর বেশী বলার দরকার मारे। General Election পৰে कि जनका श्रद छ। এখন बना बाब ना : এটাকে একটা serap of paper विनारत बांजिन हरत वारत। जाबारमत स्मर्णत ताजनावर्ग, ताजा, महाताजा हेजामित नरक जानक हाकि जिन---

Mr. SPEAKER: You make general observations. You need not go into these figures.

8j. SIBNATH BANERJEE: That has relevence, Sir, The contracts are not sacrosanct and I am trying to show it.

Mr. SPEAKER: That you have done.

8j. Sibnath Banerjee: I only said once but I want to impress by argument. Perhaps you have been impressed but you are not the Chief Minister. ২০ বংগরের গোজা হিসাবে শেখা যার any business man সেটা বুবতে পারেন তারা কন করে হলেও ৫ কোটি টাকা নেবে। তাছাড়া Page 2তে দেখা যার London office expenses সক্ষমে Tram Companyর সক্ষে ব চুক্তি হচেছ্ তাতে একবা কোবাও বলা হরনি বে, pound Sterling Rupeece transfer করা হবে বাতে তাঁদের কের Income tax ভারতবর্ষ পার। এটা চুক্তির নবো নাই, আলোচনাও হচেছ্ না। London officeএর বরুর আনাবেরই ২০ বংগরের বরে বহন করতে হবে। এটা অবশাই Dr. Royaর চোবে পড়া উচিত ছিল। Tramaর শুনিকরা তিন নাস strike করার পরে নাহিনা ও Dearness allowance ইত্যাধি নিবে পার নাত্র ৭৫, টাকা, কিয় বড় বড় তাভিলেরা পার ভার থেকে ২০ গুণ থেকে ২০ গুণ পর্বায়। এটা বিবেতে চলে বাছের এটাও একটা নাম বড় blame। আবরা চাই এটা শুনিকবের ববের ব্রণ্টিত ব্যবিত্ত হব। এই businessman—নতে ভার সক্ষে বড়াপানির সক্ষম না বাকে এবং এটা State Treasuryতে আবে—এই a good businessman নেটাই জার কাছে আনা করা। This is an argument to the honourable Chief

Minister as a good bingnessman; এবৰ আমিন্ন কিন্তাৰে এই বিনচা দেখি এবং বিচাৰ কৰি বলেই আমি আমান বন্ধনা শেষ কৰব। অনেকে অনেক বন্ধুতা করেছেন। তাঁদেৰ বন্ধুতার অনেক point miss হরেছে। আমানা দুই দিক থেকে এই জিনিষ্টা দেখি। একটা হচেছ কোন্দানি পুনিকের সন্দে কি ব্যবহার করে। Nationalise করবার জন্য এটা একটা পুণান মুক্তি ও বিবেচনার বিষয়। যদি workerদের সন্দে এবং publicula সন্দে ভাল ব্যবহার করে তবে সেটাকে পরে nationalise করবোত চলে। কিন্তু এই considerational বিচান করনে এই companyকেই পুথনে nationalise করা উচিত। তারপার কথা হচেছ আমান্ত পুনোজন এই জন্য বে, এটা বিনাতি capital। আমান্ত জন্যান্য বিনাতি কোন্দানি আছে বেমন বক্ষল চা বাগান সেখানেও অভ্যাচার কিছু কম নর। সেখানে পুবেশ করতে হলেও permission নিমে পুবেশ করতে হল। Jute কন, Electricity, Tram এই রক্ষম আমান্ত জন্যান্য জিনিম্ব আছে যা নাকি সকলের আপে nationalise করা উচিহ। পুনিকলের সন্দে ভাল ব্যবহার কর্মনই তারা করে না। ১৯২৭ সালে Simon Commission ব্যবহার করেছে। এই জনকে ব্যবহার করেছে। ১৯৪৭ সালে ৩ মান্য বরে strike করতে হয়েছিল। সেই ১৯২৭ সাল থেকে এই বংসারের রবেয় বার বার শুনিকর। এই দাবী করেছে বে, এই company আমাণের সন্দে মানুষ্টের করে না, এই company nationalise করা হোক।

- Mr. SPEAKER: I think you referred to that aspect of the ease during the consideration stage. Have you finished the figures? I think you will be more usefully occupied if you point out that the Agreement is wrong.
- 8]. SIBNATH BANERJEE: Yes, Sir, that point I stressed at the second reading but that did not apparently create an impression on the Chief Minister and he did not meet that argument. So now I am under the painful necessity of impressing upon him that point with a view to get a reply from him. So I am trying to show that this is one argument. এটা ও একটা আমার argument বে এই কোলানি অবিলয়ে nationalise করা পরকার। (The Hon'ble Dr. Bidhan Chandra Roy: তোবার কর্থ। আমাকে impress করছে না।) সেটাতো স্বীকারই করছি আপনাকে impress করতে পারছি না। আমি জ্ঞানি আমার কথাগুলি আপনাকে touch করবে না। আরেকটা কথা হচেছ political considerationa ইংরেজরা এদেশে শাসন এবং শোষণ দুই রেধেছিল। এখন শাসন ব্যবস্থা নিজের হাতে না রেখে পরোক্ষভাবে শোষণ করছেন। তাঁরা আপনাদের শিষ্তী রেখে শাসন ও শোষণ দুই-ই করছেন। যাতে পরের মাধায় কাঁঠাল ভেকে খাওমা যাম সেই চেষ্টা ইংরেজরা করছেন। আনাদের আশকা হচেছ ইংরেজরা আবারও হমতো শাসন বন্ধ নিজেদের হাতে স্রযোগ পেলে নিয়ে নেবে ৷ এই company কলিকাতার ৰকের উপর postering cancerএর ৰত in our body politic এখনই আমাদের স্থযোগ চা বাগান খেকে আরম্ভ করে এই সৰ বিদেশী কোম্পানির হাতে আর ক্ষমতা ছেড়ে দেওয়া যার না, তাদের হাতে political string থাকবে এটা হতে পারে না, তাদের এক্সাত্র technical expert হিসাবে রাখা যায় তখনকার দিনে সাদা চামড়াই ছিল dominating factor, তাঁর। ছিল vested interest এখন এখানে না পাকলেও আনাচে কানাচে বলে আছে। আৰৱ। স্কুৰোগ পেষেও হারালায়। Tram Company nationalise করা পরকার। Dr. Roy Transport nationalise कतात सना वंद छेपशीय.-
- Mr. SPEAKER: Mr. Banerjee, I think you have already taken 25 minutes and you are still repeating the same arguments.
- 3j. SIBNATH BANERJEE: I am not repeating any argument. Which argument did I repeat? Kindly show, Sir, which argument I did repeat.
- Mr. SPEAKER: It is very difficult to point out which argument you are repeating. As a matter of fact, in the third reading of the Bill what is required to be said is not being said but only general platitudes and general observations are being made. Therefore there must be some limit to the repetition of the same general arguments put forward by several members already. There must be something more specific at this stage.

8], JYOTI BASU: On a Point of Order. May Judraw your attention to the watch? It is time that.....

Mr. SPEAKER: Please wait. I have got to deal with Mr. Banerjee first and then I will deal with your watch (Laughter).

8j. SIBNATH BANERJEE: I would like to make my submission to the wise observations coming from your wise lips. I may be confronted with the same position to-morrow again.

শাবি repeat করছি না। Barasat-Basirhatক reference স্বরূপ বলুছি। কালকে বে agreement দিয়েছিলান তা reference স্বরূপ touch করনেই যদি repetition হরে বার তাহলে শাবি কি করবো <sup>१</sup> শাপনি বে বলেছেন বে এই সময় বিষয় খালোচনা করা 3rd reading admissible নর, consideration staged করতে পারেন কিছু আমি বলুছি এগুলি 2nd reading বলা যেতে পাঁলেন এবং 3rd reading এপ্ত এপুলি খারো admissible.

Mr. SPEAKER: At the consideration stage as a matter of fact the House has expressed its opinion upon the Bill by passing that particular objective Bill. Now at that consideration stage you could have impressed many things upon him by your arguments but that stage is now over. Now it is a post-mortem which is going on. At the consideration stage you get wider scope than at the third reading stage because at the consideration stage you can influence the Government by your arguments as to what you think should be done. Now, when the House has already passed the clauses, this means that now the stage is such when you can say something this way or that way or you can say to the Government that they have done this and that. The scope of debate at the third reading stage is restricted and you cannot have the same latitude—as you have at the consideration stage.

- 8j. JYOTI BASU: On a Point of Order, Sir. It is not post-mortem stage because we may convince some of the members of the other side to make.....
- Mr. SPEAKER: I appreciate, Mr. Basu that it is not absolutely postmortem but it is three-quarters dead and one-quarter alive. Something very very effective should be said at this stage.
- 8j. SIBNATH BANERJEE: Without meaning it, Mr. Speaker, this Bill was dead before it was passed and it is going to be dead even if it is passed by this House. What you said by implication is quite correct, namely, that the Bill was dead before it was passed and it is going to be dead even if it is passed by this House. But that is not the point I want to influence.

আমি জানি যে 3rd readings restriction আছে, সেখানে বেশী figure quote করতে গেলে আপনি তা বাধা দিতে পারেন কিছ আমাদের একটা অস্থবিধা আছে। আপনার last orders আপনি বে argument দিলেন তারপরে আমাদের Oppositions আর কিছুই বনবার খাকে না। তবে Governments বে সবত omission and commission আছে সে সবছে 2nd reading কেন, 3rd readinds আমরা বন্তে পারি। উনি যে সবত argument দিয়েছেন সে সবছে আমি 3rd readings বন্তে পারি; and it is always done in this House and in other Houses. তবে repetitions ব পর repetition করা নিশ্চবেই আনার। আমাকে repetition হচেছ দেখিরে দিলে নিশ্চবেই আমি তা মানবা।

8]. JYOTI BASU: I think he can continue tomorrow.

The Hon'ble Dr. BIDHAN CHANDRA ROY: It is all very well for gentlemen who have finished their speeches to say that we should stop at

this stage and continue tomorrow but it will be very difficult for the members who have to give their replies to the arguments put forward to carry into their heads all the arguments so far put forward and to remember the same till tomorrow. So I would request the members of the House to continue until they finish. I suppose the member speaking now will finish very soon.

81. SIBNATH BANERJEE: What about yourself?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I will finish in 4/5 minutes time.

8j. SIBNATH BANERJEE: যদি পুধান বন্ধী নহাশব বাত চাব পাঁচ বিনিট বলেন তাহলে আমাকে বেশী করে বল্ডে হবে যাতে তাঁব মনে থাকে। তিনি একটা কথা বলেছেন Advisory Body সহছে। এদের হাতে power দেওনা হয়েছে। তাদের একটা বড় brain আছে বলেছেন, কিছ যদি সত্যি স্তিয় তাদের brain থাকতো তাহলে এই রক্ষ একটা চুক্তি করতেন না এবং ইংরাজ অনেক আগেই আমাদের দেশ থেকে চলে যেত। ইচছা করলে এই companyটাকে nationalise করতে পারতেন। Governmentএর যদি আজ সত্যিকারের brain থাকতো তাহলে কাশুনি সমস্যা অতি সহজেই সমাধান করতে পারতেন।

Mr. SPEAKER: Is it a speech on the third reading or on the fifth reading.

- \$J. SIBNATH BANERJEE: Mr. Speaker, Sir, আর একটা কথা বলেই আমি বলা শেষ করছি। সেটা হচেছ এই যে Dr. Roy বলেছেন যে এই Tramways Companyক manage করবে কে? সেই জন্যেই ২০ বংসর রাঝা দরকার। তাঁরা জানেন যে Transport Board যা বর্জনানে রয়েছে সেই boardই run করাতে পারে এবং তালের workersরা manage করতে পারে, তার বহু পুরাণ আছে। অনেক জামগায় পেবেছি যে Selection Board এবং Union Boardএর representative fina একটা representative board করে তারা jointly Co-operate করে কাজ করছেন যাতে passenger বাড়ে। ইলেণ্ডেও এই রকম বারস্বা আছে। সেখানেও এই রকম representative board দিয়েই manage করা হয়। কিছু আমাদের Governmentএর সে ধরনের আছা আমাদের পেশ্বাসীর পুতি নাই সেই জন্যেই তারা বনে করেন যে ইরোজ না হলে আমাদের চলবে না। আমাদের পেশের জনসাধারণ যারা politically unconscious, তাদের হয়ত বুঝিয়ে বলবেন যে ইংরাজ আমাদের পেশে ঝাকলে তাল হয়, সেই জন্য এই Tramways companyকে আরো ২০ বৎসরের জন্য রাখা উচিত। তাঁরা যদি এই ধরণের মুক্তি দিয়ে কাজ করেন তাহলে ভবিষ্যতে হয়ত ভারতে আবার চাচিচল এট্লিকে ভাকতে হবে। কাজেই এটা একটা dangerous proposition. Dr. Roy বলেছেন এইটা থেকে বিরত হওয়া দরকার কাবণ it is almost half-dead, আমি বলছি it is completely dead স্থতরাং চুক্তি অনুসারে কাজ হবে না অতএব এই চুক্তিপঅটা ছিড়ে কেলে পেওৱা হক, before it is passed.
- 8j. JYOTI BASU: On a point of order, Sir. We have been sitting here for 4 hours and 10 minutes. Therefore it is not possible for us to go on with this Bill today. We should not hurry through this Bill even at the last stage. Therefore you should adjourn the House now.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, is it to be conceded that on any Bill where the Government spokesman has been only one, every one of the Opposition will speak? Then, Sir, ten or eleven members will control the whole Assembly. Let us understand what are we to do. If ten or eleven members go on and control the Assembly, other steps will have to be taken—

(At this stage there was loud noise and cries of "Are you threatening us"?) Sir, I am on my legs, I will not yield to anybody.

(Again loud noise from both sides.)

Dr. SURESH CHANDRA BANERJI: We would like to know what steps you can take-

. (Again loud noise.)

Mr. SPEAKER: Order, order. I am not able to hear one word of what you are saying. What is your objection?

81. JYOTI BASU: Sir, the Chief Minister in his speech said that if the Opposition members speak for some hours he will take other steps. This is an insult to us. We would like to know what steps the Chief Minister will take.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, if they had only waited before they took up this attitude, they could have understood what I meant. My proposition is, that I have been watching patiently the way in which the Opposition has been working. It seems to me that it is really an oppression on the majority by the minority. Therefore I suggested that we ought to know exactly where we stand. Ordinarily the Opposition should be given all opportunities for placing their points of view, and we have deliberately refrained from taking part in the discussion and allowed the Opposition to speak; and you have also been indulgent to the Opposition and you have allowed them to cover the same grounds over and over again. I feel that if they decide on holding up the work of the House, I shall have to take other steps. There are many steps available under the Constitution or under the rules. Of course, I am prepared to meet the Opposition as far as possible. You have suggested, Sir, one way of allowing the Whips of the two parties to come to a compromise so far as the programme is concerned. But my difficulty is, that five or ten people should not keep back fifty people on the other side who also wanted to speak. I have restrained them from speaking because I want to go ahead. After all, it is a strain on everybody. I do not know how long this thing should be kept hanging on. I have got to reply to all the criticisms that have been put forward. If my friends opposite say that they are tired, they must know, Sir, that I am also tired. At the same time, Sir, to listen to all the arguments and facts in order to give a suitable reply would also be a very great strain upon the person who would have to do it. I would request Dr. Banerji across the floor to say whether it would be possible for us to finish it today. I understand there are three more speakers on the other side and perhaps all the members belonging to the Opposition will spec' They are welcome, but I say it is time you should realise where we are drifting to. We should know that the business of the Assembly should be run on a business line. Of course the minority can always go on obstructing in their own way by putting in different propositions and speaking over the same points over and over again. Under the rules they may be allowed to speak as far as possible—I think I am not conversant with the rules—but commonsense tells me that there must be a limit to this either by a previous consultation among the Whips or by some other means. My difficulty is, I do not know whether they are a well-knit party under one group; in that case the easiest course would be for the Whips of both the sides to make an arrangement. As far as I am aware, the Opposition consists of different groups, all of whom may not be guided by one Whip. As far as I know— I speak subject to correction—there should be 11 or 12 members belonging to a party to form a duly constituted Opposition under the constitution of the Assembly. Therefore, I do not know whether there will be a whip of that type. Therefore, Sir, I put it to you that let us get on with our work. Let us finish it, if possible, today. If my friends on the opposite side say that they cannot finish it today let it be taken up tomorrow. But I do feel that there must be a limit to it so that we may carry on the business of

the House. After all, we have heard argument—some of them are good and some of them are repetitions twice over out that does not emphasize the argument in any particular manner. In fact, it loses its force if you go on repeating the same argument over and over again. Therefore, I leave it to you what to do next. I am told by the Secretary that there are three more members on the opposite side wanting to speak on the Bill. It is now quarter past seven. If you so wish, you can adjourn the House till tomorrow. But I do feel, let us understand where we stand so far as the rules and regulations are concerned and let us see, while giving all opportunities to the Opposition to speak as much as they like, that they may not interrupt or interfere with the progress of things in the Assembly.

Dr. SURESH CHANDRA BANERJi: Sir, আনরা বোটেই obstructionist নই ।
আনরা বরাবরই helpful হবার চেটা করে আসছি, আগাগোড়াই Co-operate করতে চেটা করছি। মাত্র ৪
দিনের মধ্যে এই Houseএ অনেকগুলি বিল পাল হয়ে গেল। Calcutta Tramway Billএর মড
important বিল সহছে মাত্র তিন দিন আলোচনা হচেছ। এটা খুব বেশী নয় এই রকম একটা বড় বিল গড
১৬ বংসরের মধ্যে আনি দেখুতে পাইনি। সভাপতি বহালর, আপনি আনেন আমরাও জানি, এই Houseএ
এমন বিলও এসেছে, ১ মাস ধরে বার আলোচনা হয়েছে। Bengal Tenancy Amendment Bill
for 3 months, the League people allowed us in opposition, to discuss
ভারপর Bengal Money-lenders বিল—(Interruptions from Ministerial Bench) আমাকে
disturb করবেন না। (Sj. Sibnath Banerjee: ওরা বড় বেশী আনেন।) Now you have
come forward with such a big Bill—১৬ বৎসর মধ্যে এ রকম বড় বিল দেখিনি (The Hon'ble
Rai Harendra Nath Chaudhuri: You do not know.) দয়া করে disturb করবেন না।
বল্তে দিন। আমরা নোটেই obstructionist নই তা বলা খুবই অন্যাম হবে। আমরা বরাবরই co-operate
কর্তে রাজী—এই Billটা যাতে নির্ছারিত সময় মধ্যে শেষ হয়, তার জন্য বধাসাধ্য চেটা করব।

We must perform our duty and consistent with the performance of our duty we are co-operating with you in every possible way but we must not be forgetful of our duties. We will not obstruct you. That is not our policy but you must have sympathy and feeling for us also.

Mr. SPEAKER: Dr. Banerji will you please sit down? I cannot allow the House to go on like this. Every moment everybody cannot jump up. It is for the Speaker to control and not for the members to control. Unless you recognise this thing it is difficult to control the House. One member should be speaking at one time.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I appreciate Dr. Banerji's approach to the whole problem. If you so desire, let us postpone till tomoroow.

Mr. SPEAKER: Before I adjourn the House till tomorrow let me say a few words. The position is that there is no doubt whatsoever that proper opportunities should be given for ventilation of all points of view in the House on an important subject. It does not mean, however, that we should go on even after the points have been brought forward before the House for consideration—that we should spend more time than what is necessary in order to bring these points before the House. However important may be the subject, how much time is necessary to bring forward all points of view, all arguments which bear upon the question? I regret to say that we have not been able to keep up to that position always. It is quite natural that we cannot keep up to that position always. Now, the proposition was, so far as this Bill was concerned, as to whether this Agreement should be given effect to or not. We started the Bill yesterday. There is only one Agreement on which you have got to speak. Now, yesterday six or eight

members spoke. Today I and there was division even on Schedule II—on every schedule—on everything there was division. That was allowed, though I should tell you that there is a power given to the Speaker that if he considers it necessary instead of calling a division and spending so much time over it he may simply ask the members to rise in their seats and finish it. But I did not want to deprive the members of their satisfaction that their names should be recorded as protesting against each and every clause of the Bill. I, however, appealed to them that so far as the third reading is concerned, they should be a bit restricted to such points as may have a bearing on the subject. The Parliamentary procedure requires that a certain course of action should be followed and unless and until there is good co-operation from all sides of the House it becomes difficult to control. Therefore, I would once more earnestly request the members that while not losing sight of the points which should be stressed they should devote their mind to curtail their debate as far as possible and confine themselves to things which have a bearing on the subject.

There is one thing more. It becomes very difficult if many members rise at one and the same time. On one remark so many members rose and I could not hear what that was about. I would request that in such circumstances the passions should be kept a little cool so that we may be able to proceed with the business of the House. I find that there is a consensus of opinion that the House should adjourn its business till tomorrow. I therefore adjourn the House till 3 p.m. tomorrow and I hope the members will keep in mind what I have said just now.

#### Adjournment.

The House was accordingly adjourned at 7-25 p.m. till 3 p.m. on Friday, the 21st September 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legislative Assembly assembled under the previsions of the Constitution of India

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 21st September, 1951, at 3 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 11 Hon'ble Ministers and 61 Members.

### STARRED QUESTIONS

(to which oral answers were given)

## Alleged punishment of a police officer for using Bengali language in office files

- •14. Sj. KANAI LAL DE: Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state—
  - (ক) বাজালা ভাষার মন্তব্য কোঝার জন্ত কলিকাত। পুলিপ বিভাগের জনৈক কর্ম চারী (Sub-Inspector) উধ্বতিন কর্ম চারী কর্তৃ কি ভিরন্ধত ইইয়াছেন বলিয়া যে সংবাদ ২২শে সেপ্টেম্বর ভারিখের অনুভবাজার পত্রিকার সম্পাদকীর মন্তব্যের মারকৎ বাহির হইরাছে তাহার প্রতি মন্ত্রীমহাশ্যের দৃষ্টি আক্ষিত হইরাছে কি; এবং
  - (গ) বাজালা ভাষার মন্তব্য ও সরকারী চিট্টিপত লেখা সম্বন্ধে বছ'মান নীতি মন্ত্রীমহাশর জানাইবেন কি ?

MINISTER in charge of the HOME (POLICE) DEPARTMENT (the Hon'ble Dr. BIDHAN CHANDRA ROY: (क) है।, কিছু সংবাদট্ট সভ্য নছে।

- (খ) সরকারী নথিতে মন্তব্যাদি বাজালা ভাষার লিশিবত্ব করার নিদেশি থাকিলেও ব্যবস্থা-পরিষৎ কতু ক বাজালা ভাষা সরকারী কার্থের ভাষারূপে গৃহীত না হওরা পর্যন্ত সংবিধানের ২৪৫ ধারা অনুসারে ইংরাজীই সরকারী ভাষা হিসাবে চলিতে থাকিবে।
- 8j. CHARU CHANDRA BHANDARI: মাননীর মরী বংলার বে উভারে বংলছেন বে বছরভারী নবীতে মন্তব্যাদি বাংলা ভাষার নিপিবছ করার নির্দেশ থাকিলেও এখনও ইংরেজী ভাষারই চলতে পাঁকবে। এ যারা কি এটাই বুক্তে পারব বে কোন সরকারী কর্মচারী বদি বাংলার তার মন্তব্য লেখেন তবে কর্তৃপক্ষ তাতে আপত্তি করবেন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: 451 4751 theoretical question.

8j. CHARU CHANDRA BHANDARI : বাননীর বরীবহাশর বলুবেন কি কোন সরকারী কর্মচারী বর্তমানে বাংলাভাষার সরকারী নবিপত্তে মন্তব্য নিখেন কি ন। ?

The Hen'ble Dr. BIBHAN CHANDRA ROY: 4:

Sj. CHARU CHANDRA BHANDARI : আতে কর্তৃপক কোন আগতি করেন কি কাং The Hen'ble Dr. BIDHAN CHANDRA ROY: ना।

# Scaroity of rice in Murshidabad district

- •15. Makeraja SRIS CHAMDRA MANDY, of Commercer: (a) Will the Hon'ble Minister in charge of the Food Department be pleased to state if it is a fact—
  - (i) that the district of Murshidabad is suffering from acute scarcity of rice:
  - (ii) that in certain thanas of the district, namely, Noada, Hariharpara, Domkal, Raninagar, Bhagwangola, Lalgola, Jangipur and Suti rice is selling at a price between Rs.35 and Rs.60 per maund;
  - (iii) that deaths due to starvation and diseases resulting from malnutrition have been reported from some of these thanas;
  - (iv) that the part of the district lying on the east of the Bhagirathi is deficit in food and dependent on the yield of the part lying on the west of Bhagirathi; and
  - (v) that due to the recent floods the standing aus paddy crop has been totally destroyed in a large area of the district?
- (b) If the answer to (a) (i) to (iii) be in the affirmative, will the Hon'ble Minister be pleased to state what steps have so far been taken by the Government—
  - (i) to improve the food position in the district; and
  - (ii) to stop the recurrence of such scarcity in future?
- (c) If the answer to (a) (iv) is in the affirmative, do the Government consider the desirability of doing away with the present cordoning system within the district?
- (d) If the answer to (a) (v) is in the affirmative, will the Hon'ble Minister be pleased to state what steps the Government have so far taken or propose to take for adequate relief of the flood-affected areas?

MINISTER in charge of the FOOD DEPARTMENT (the Hon'ble Prafulla Chandra Sen): (a)(i) Yes. There was acute scarcity of rice in Murshidabad during the lean period of 1950.

(ii) Market prices of aman rice in respect of these thanas during July, August and September, 1950, are shown below:—

mag ast and sept		ci, 1000, aic bao	11 DC20 W	
		July.	August.	September.
(1) Noada		Rs.38 to Rs.40	Rs.42-8	Rs.30-8 to Rs. 38.
(2) Hariharpara		Rs.34 to Rs.36	Rs.37-8	Rs.28 to Rs.34.
(3) Domkal	٠.	Rs.32 to Rs.45	Rs.40 to Rs.41	Rs.26 to Rs.31.
(4) Raninagar	٠.	Rs.36 to Rs.40	Rs.32 to Rs.40	Rs.25 to Rs.38.
(5) Bhagawangola		Rs.29 to Rs.35	Rs.40 to Rs.42	Rs.25 to Rs.37-8.
(6) Lalgola		Rs.32 to Rs.35	Rs.32 to Rs.37-8	Rs.25 to Rs.37-8.
(7) Jangipur (Rag nathganj).	hu-	Rs.24-10 to Rs. 38	Rs.30-8 to Rs.40	Rs.24-10 to Rs.35-8
(8) Suti		Rs.33-8 to Rs.39	Rs.36 to Rs.40	Rs.30 to Rs.35-8.

- (8) Suti .. Rs.33-8 to Rs.39 Rs.36 to Rs.40 .. Rs.30 to Rs.35-8.
- (iii) Certain reports of death due to starvation have appeared in the Press but these proved to be false on enquiry. There was, however, malnutrition amongst a section of the poorer people.
  - (iv) Yes.

- (v) 14,600 acres of standing our crop were destroyed due to flood this year in the district of Murshidabad.
- (b) (i) In addition to stocks procured locally which were available for consumption in the district, the following stocks were sent during 1950:—

	Thousand tons.
Rice	3.4
Paddy	1∙6
Wheat including wheat products	3.9

- (ii) To stop recurrence of scarcity in the district, steps have been taken to build up reserves in the early months of 1951 and instructions have been issued to move stocks into the deficit pockets. Cordons have been tightened to prevent smuggling outside the district.
- (c) No. Cordoning is necessary to enable the Government to procure at a reasonable price to meet the needs of deficit areas and also to stop smuggling through bordering thanas to Pakistan and to other deficit areas.
- (d) The following amounts have been sanctioned for giving relief in the flood-affected areas of the district of Murshidabad:—

		Rs.
Agricultural loan for house-building		30,00 <b>0</b>
Agricultural loan for other purposes		1,45,000
Free house-building grant	•••	4,000
Distribution of gratuitous relief		3,600
2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2		٠,

Dr. SURESH CHANDRA BANERJI: বাননীয় বহীবহাপর বলবেন কি, এই বে answer (iii)তে তিনি বে বলেছেন enquiryর কথা—নেই onquiryটা কে করেছেণ

The Hon'ble PRAFULLA CHANDRA SEN: District Magistrate of Murshidabad.

Dr. SURESH CHANDRA BANERJI: তিনি কি enquiry করে গভর্ণনেপ্টের কাছে কোন report দিয়েছিলেন ?

The Hon'ble PRAFULLA CHANDRA SEN: निष्ठबहे।

Dr. SURESH CHANDRA BANERJI: মাননীয় মহী মহাশয় বলবেন কি সে reportৰ কি কি কেখা ছিল '

The Hon'ble PRAFULLA CHANDRA SEN: সেই reportটা আনার এবানে নাই। কিছ তাতে উল্লিখিত হয়েছে বে Pressu পুৰাণিত ঐ বৰুষ মৃত্যুৰ ঘটনাগুলি বিধ্যা।

Dr. SURESH CHANDRA BANERJI: বাননীয় বহীবহাণর বল্বেন কি সেধানে deaths due to অনাহার বে হর নাই সে গছতে Magistrate কি সুক্তি পুরাণ ছিল।

The Hon'ble PRAFULLA CHANDRA SEN: বেছেতু তদত্ত করে কেবা গেছে বে খনাহারে মৃত্যু হয় নাই।

Dr. SURESH CHANDRA BANERJI: কি করে তিনি বুর্বেন বে খনাহারে নর। খনর কোন খনুবে বুজু হরেছে।

The Hen'ble PRAFULLA GHAMBRA SEN: টক বেডাবে ভার করবে আন বার, টক বেডাবে ভার করে ব্রেছেন।

Dr. SURESH CHANDRA SANERJI: বাবনীর জ্ঞীবহাণর ভারাবের অবগতির জন্য বল্বের কি কি করে সেটা জানা বার :

The Hon'ble PRAFULLA CHANDRA SEN: এ কৰা সাৰাৱণভাবেই বুৰা বাম এ সৰাৱই জালা কৰা –—বুৰাবার কোল পুরোজন নেই।

Dr. SURESH CHANDRA BANERJI: বাননীয় বহীবহাৰর বল্বেন কি না থেকে বরা এবং অস্থাৰে ভূগে বরা লক্ষণের মধ্যে কি পার্থক্য ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: সেটা ভারণরকে বিজ্ঞাসা করুন।

Dr. SURESH CHANDRA BANERJI: বাননীয় ব্যাবিষ্টান যে লিখেছেল যে to stop recurrence of scarcity in the district, steps নিবেছেল in the shape of building up reserves and moving stock, etc., যাতে ভবিষ্যতে বাদ্যাভাব আর না বটে, সেজন্য এই যা লিখেছেল, ভাছাড়া আর কোন steps গভর্ণবেশ্টের পক্ষ থেকে নেওরা হয়েছে?

The Hon'ble PRAFULLA CHANDRA SEN: নাননীয় সদস্য বহাশ্য ধরে নিতে পারেন বে কুলিগাবাদ জেলায় আনর। যে পরিবাণ ধান ও চাল সংগ্রহ করেছিলায় তা বাঁদে এখান থেকে চাল পাঠিরেছিলায় ১-৪ হাজার টন, ধান পাঠান হয়েছে ১-৬ হাজার টন; আর আটা ও গম নিনিয়ে পাঠান হয়েছে ১-৯ হাজার টন। এত খাদ্য ছেড়েও যেখানে অভাব হয়, সেখানে কি করা যেতে পারে। এসব খাদ্য ছাড়াও, সেখানে house-buildings জন্য agricultural loan দিয়েছি, এবং অন্যান্য বাবদও টাকা দেওরা হয়েছে, gratuitous relief দিয়েছি; তা ছাড়া আর free house-building বাবদ টাকা দেওবা হয়েছে।

Dr. SURESH CHANDRA BANERJI: খাদ্যশস্য অভাব পুরণের জন্য খাদ্যশস্য উৎপাদন বৃদ্ধির উদ্দেশ্যে গভর্ণবেশ্টের পক্ষ থেকে ঐ জেলায় কি করা হয়েছে ?

The Hon'ble PRAFULLA CHANDRA 8EN: এ পুশু ওঠে না। অনেক কিছু করা হরেছে। মোটের উপর ১৯৫০ সালের চাইতে মুশিদাবাদের এবারকার অবস্থা ভাল।

Dr. SURESH CHANDRA BANERJI: মন্ত্রী বহোদর বল্বেন কি কটা পুকুর পেধানে সংভাব করা হবেছে ?

The Hon'ble PRAFULLA CHANDRA SEN: এ পুশ্লের সঙ্গে এই supplementary question ওঠে না। তবে আদি সদস্য নহাণ্যকে বলছি কাগজপত্র না দেখে এসৰ বলা যায় না।

**Janab MD. KHUDA BUKH8H:** Arising out of Hon'ble Minister's answer (b)(ii), will be be pleased to state at what places reserves have been built up and what is the quantity of reserve at each place?

The Hon'ble PRAFULLA CHANDRA SEN: Whatever quantity we have been able to procure in Murshidabad has been kept in reserve for Murshidabad people.

Janab MD. KHUDA BUKHSH: Sir, I wanted to know the names of the places where the reserves have been kept.

The Hon'ble PRAFULLA CHANDRA SEN: I cannot say off-hand. I want notice. I can tell you that last year up to 17th September, 1950, in terms of rice we procured in Murshidabad five thousand tons.

Jamab MD. KHUDA BUKH8H: Arising out of the answer (c) where he states that cordoning is necessary to prevent smuggling into Pakistan, will the Hon'ble Minister kindly state if the price in Pakistan is higher than in Murshidabad?

The Hon'ble PRAFULLA OHANDRA SEN: This year it is not, but last year, i.e., 1949 it was so.

Janeb MD. KHUDA BUKHSM: In answer to a supplementary question the Hon'ble Minister has said that the condition of paddy crop in Murshidabad this year is better than in last year. Will he be pleased to state what are the sources of his information?

The Hon'ble PRAFULLA CHANDRA SEN: The source of my information is the Statistical Bureau.

sj. DEBENDRA NATH SEN: With regard to the reply (a) (iii), will the Hon'ble Minister be pleased to state as to how many reports of deaths were enquired into by the District Magistrate of Murshidabad?

The Hon'ble PRAFULLA CHANDRA SEN: All the cases reported to us were sent to the District Magistrate.

- 8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state as to what was the cause of death in each case found by the District Magistrate on enquiry?
- The Hon'ble PRAFULLA CHANDRA SEN: It was due to various diseases including malnutrition.
- **8j. DEBENDRA NATH SEN:** With regard to answer (d), will the Hon'ble Minister be pleased to state as to what is the state of affairs now after the additional stocks and relief sent to that district?

The Hon'ble PRAFULLA CHANDRA SEN: The condition of Murshidabad is now good.

**8j. DEBENDRA NATH 8EN:** Will the Hon'ble Minister be pleased to state, with regard to answer (b)(ii) where it has been stated that steps have been taken to build up reserves, as to whether actually a reserve has been built up, and, if so, what is the amount?

The Hon'ble PRAFULLA CHANDRA SEN: I have informed the honourable members a couple of minutes ago that we have procured five thousand tons of rice.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether in spite of these steps having been taken by him still there is scarcity and the price is very high?

The Hon'ble PRAFULLA CHANDRA SEN: No.

8j. HARIPADA CHATTERJEE: মাননীয় মন্ত্রীমহাণয় এই 2(c)তে উত্তর দিয়েছেৰ বে no cordoning is necessary to enable the Government to procure at a resonable price to meet the needs of deficit areas ইত্যাদি—মাননীয় মন্ত্রীমহাণয় নিশ্চমই অবগত আছেন বে, পশ্চিম মুশিদাবাদ থেকে পূর্বপারে খাবার না আন্লে চলে না। তাঁরা বে rationing সেবানে দিয়েছেন তাতে হয় না। অত্যাং smuggle করতেই হয় যদিও সংগ্রহ কার্য পূর্বপারে অত্যন্ত অস্থবিধাজনক, এটা কি তাঁরা সানবেন !

The Hon'ble PRAFULLA CHANDRA SEN: আমি আপনার পশু বঝতে পারছি না ৷

8j. HARIPADA CHATTERJEE: আমি মণি ছোট করে পুণু করি তা'হলে আপৰি কি বারবার তার উত্তর পেবেন?

The Hon'ble PRAFULLA CHANDRA 8EN: निष्ठारे (भर।

Mr. SPEAKER: Will you please make your question short and impact?

া 8j. HARIPADA CHATTERJEE: পূৰ্বপাৰে পশ্চিম পান খেকে বাবার আন্তে হয় তা আ হ'লে চলে না এটা বাননীয় আধীমহাশয় কি অবগত আছেন ? The Hon'ble PRAFULLA CHANDRA: ৪ টাই: বুলিবালা জেবার আই বিথার বাই বাবর আবর। ২ লক ১৯ হাজার লোককে modified rationingএর বব্যে রেবেছি, স্থানাং লোকে ১৬ টাকা ১৪ আনা দরে চাল পাচেছ। তাতেও যদি লোকের অস্থবিধা হয় তাহলে আবর। আর কি করতে পারি ?

8]. HARIPADA CHATTERJEE: जानात श्रुगोत जनान (मरावन ?

Janab MD. KHUDA BUKHSH: Will the Hon'ble Minister be pleased to state whether he referred to the current year's paddy crop when he said that the proposition was very good or to last year's paddy crop?

The Hon'ble PRAFULLA CHANDRA SEN: I referred to last year's crop and in fact the matter refers to 1949 crop.

Dr. SURESH CHANDRA BANERJI : মাননীয় বহীবহাণর বলবেন কি বর্ত্তবানে মুশিদাবাদের করের চালের average market price কড় ?

The Hon'ble PRAFULLA CHANDRA SEN: I want notice.

**8J. DEBENDRA NATH SEN:** Will the Hon'ble 'Minister be pleased to state if the price of the rice in Murshidabad is now in the region of Rs. 60 per maund?

The Hon'ble PRAFULLA CHANDRA SEN: No.

8j. HARIPADA CHATTERJEE: 1950এর July, August, Septemberএর এক list দিবেছেন, 1951এর July, August, Septemberএর list জানাবেন কি?

The Hon'ble PRAFULLA CHANDRA SEN: আনি ১৯৫০ বাল সংক্রোকট বলছি।

8j. HARIPADA CHATTERJEE: আমার questionটার উত্তর হয়নি। পূর্বপারে statutory rationing নাই, পশ্চিমপার থেকে আনতেই হয়।

The Hon'ble PRAFULLA CHANDRA SEN: মাননীর সদস্যগণ জানেন বে, বেখানে চালের দর market price non-rationed areaco ২৫১ টাকার উপর হয় সেখানেই জামরা modified rationing দিয়েছি ৷ আপনি যেখানকার কথা বলছেন সেটা কোন খানা, কোন যুনিয়নের মধ্যে তা না বলে কি ক'বে বলা থেতে পারে ৷

8j. HARIPADA CHATTERJEE: আঁষার জিজাস্য হচেছ্, বেখানে "খাদ্য শস্য কলাও" নীতি অবলঘন ক'বেও control ইত্যাদি পুরোগ করে ও ধানচালের দর করাতে পারছেন না সেখানে সংগ্রহ করবার অধিকার Governmentএর নাই, একথা খীকার করবেন?

The Hon'ble PRAFULLA CHANDRA SEN: সে প্রশুর উত্তর দেওয়া হরেছে।

8j. HARIPADA CHATTERJEE: যেখানে আপনারা নিজেরাই খীকার করছেন খাইতি জঞ্জ শেখানে সরকারের কম দরে কিনবার অধিকার আছে? আপনারা কেন কম দরে কিনবেন, লোকের শুমলক জিনিম কেন কম দরে কিনবেন?

The Hon'ble PRAFULLA CHANDRA SEN: আনরা বাজার দরে কিনি।

## Point of privilege.

sj. BIMAL COMAR CHOSE: On a point of privilege, Sir. I have two points of privilege which I shall place for consideration one after the other. I shall first refer you to-Rule 24 of the Assembly Procedure Rules, which says "The first hour of every meeting shall be available for the asking and answering of questions". Sir, yesterday we devoted twelve minutes and today twenty minutes to the answering of questions. Yesterday we had two questions and today also we had two questions. I feel that

- the right which the ordinary members have of asking and answering questions is not being properly safe-guarded. What the Government are doing is an indirect obstruction amounting to an encroachment upon and wasting of the private members' time. We have to ourselves one hour in which to ask questions and get replies. There have been lots of questions sent to the Government of which the answers are not forthcoming. We are some times accused that we waste Government's time, but it appears that Government are also wasting our time and when you, Sir, accuse us of wasting Government's time you should take that fact into consideration. I should like to know if you can help us in any way in this matter.
- Mr. SPEAKER: The position is that the first hour of every meeting shall be available for the asking and answering of questions. It does not mean that one full hour must be taken for questions. Whatever answers the office receives from the Government are printed and published. With regard to the question as to whether the Government have answered some of the questions or not, the proper course for you will be to point out to me the particular questions whose answers are being delayed and so far as our office is concerned we shall send a reminder with regard to those questions.
- 8]. BIMAL COMAR CHOSE: If I may say, Sir, you remember your office circulated to us at the end of the last session questions which were outstanding and the office knows about it—the answers to which questions have not yet been forthcoming.
- Mr. SPEAKER: As I already told you in the previous session, we have no power to compel Government to give answers within a particular time. If you desire it, the rules will have to be amended. It means a Bill will have to be brought—either a private member should present it or the Government should do it. It is for them to consider, but so far as this office is concerned we have no right to compel the Government to answer a particular question within a particular time.
- 8J. KANAI LAL DE: On a point of information, Sir. আৰি একটা question আড়াই বৎসর পূৰ্বে নিৰেছিলাম.....
- Mr. SPEAKER: Whichever questions you desire should be answered immediately, you put your requisition to the office regarding them. We shall send reminder to the Government. That is all that we can do.
  - 8j. KANAI LAL DE: আপনি এইমাত্র বললেন কিনা।
- Mr. SPEAKER: It is not necessary to take the time of the House to point out certain questions. It is a matter of administrative work, and you draw our attention to particular questions and we shall inform the Government.
- Sj. BIMAL COMAR CHOSE: I have another point of privilege, Sir, and that is in respect of a very healthy innovation introduced by the Assembly Secretariat in the shape of circulating to us what has been called an Order Book. In that Order Book which was circulated to us on the 17th September, and for which I feel that our thanks are due to the Secretariat office, we found certain questions listed which would be answered on subsequent days and that was of great advantage to us, because we know as to what questions would be coming up for answer. Therefore, we could get ourselves prepared to some extent even without knowing what the Government answers would be. I thought that was very helpful for eliciting information and generally for getting information by members.

I do not know why that has been stopped. I wish that that be continued because that was a privilege which the members were given and I feel that that should be continued.

Mr. SPEAKER: I will look into that matter.

#### COVERNMENT BILLS.

## The Caloutta Tramways Bill, 1951.

ষ্ঠা. HEMANTA KUMAR BASU: মাননীয় Speaker মহাপর, আমি পুথমেই জনাব বোদাব্যের হোনেন সাহেব জানাদের সর্বজন পুছের পুরিক্রা বিভাবতী বস্থ মহাপরার সম্বছে বে ভাষা ব্যবহার করেছেন তার তীবু পুর্তিবাদ করছি। ছিতীয় কথা, আমাদের পুরানমন্ত্রী মহাপর বলেছিলেন বে, তিনি আমাদের Election Speech করবার অ্যোগ দিয়েছেন। তাঁকে আমি মনে করিয়ে দিতে চাই বে, তিনি যথন অগীয় স্থরেক্রনাথের বিরুদ্ধে গাঁড়িরেছিলেন ওপন কেপকছু C. R. Dasas Election Speechই তাঁকে এবং অন্যান্য মনীদের এই Housea এনেছিল। গত নির্বাচনেও আমরা বর্গীয় প্রথচক্র বস্থু মহাপরের বজ্তার জন্য এখানে আসতে প্রেরছিলেন।

Mr. SPEAKER: আপনি মাইকে গিয়ে বলবেন কি?

8]. HEMANTA KUMAR BOSE: আমরা আনি বে, আমরা বর্ধন সকলে কংগ্রেসের নেতৃত্বে শ্বাধীনতা সংগাৰ কৰেছিলাৰ তথন আমন্ত্ৰ যাঁৱ। বিৰুদ্ধ পক্ষে ছিলাৰ তথন ইংৰাজনাও এই কথাই বলুত। আজকেও শেইরক্ষ কথাই জনছি। যাঁরা জনসাধারণের কথা বলেন তাঁদের আর Election Speech (নির্বাচনী বক্তৃতা) कबर्ड दय ना। जनमाधात(भव नुपर्धन जीएन जन्म नव नुपर्धन आहि। जानि बन्हि (य. जानत) जनमाधात(भव কথা নিষ্কেই এই Housed এসেছি, Electionএর কথা নিয়ে নয়। তাই আমাদের জনসাধারণের কথাই বলুতে इतिह। जाजरक वर्षात्म वर्षात्म वर्षात्म Tramways Billbi शाम कवित्य त्मश्रमा इतिह छ। ना क'रत यनि **সেটা জনসাধারণের সমর্থনের জন্য তাদের সাম**নে উপস্থিত করা হোত তাহ'লে বঝতে পারতাম জনসাধারণের মতাৰতের পতি আপনাদের কিছমাত্র শন্ধা আছে। আজু আপনার। ২০ বংসরের জন্য একটা contract করে একটা বিল আমাদের সামনে এনেছেন, অখচ আপনার। তানেন জনসাধারণ এর বিরোধী। বিটিশ শাসনের অবসানের পরে এখনও পর্যান্ত সেই সমস্ত বিটিশ শ্বসাদারর৷ আছেন এবং তাঁর৷ কিভাবে এই ভারতকে শোষণ করছেন তা चांशनात्रा चारान। यपिछ तांचरेनिक रक्षात्र जानता करुको। साधीरका नाज करतकि बरते. किस वर्धरेनिक **ক্ষেত্রে আমাদের সম্পূর্ণ পরাধীনতা বজার আছে।** ে জন্য জনসাধারণ অনেক সময় মনে করে হস্তান্তরিত ক্ষয়তার ৰবা দিয়ে এখনও আপনাদের সঙ্গে বিটিশের যোগাযোগ আছে। এই সমন্ত বিলের জনাই তাদের মনে দিনের পর দিন আশকা বেডে যাচেছ। স্নতরাং জনসাধারণের মত জানি বলেই আমরা বিশেষভাবে এই কুড়ি বছরের contractএ যে বিল আনা হয়েছে সেই বিলের যোরতর পতিবাদ করছি। আমার পুর্ববর্তী বস্তাগণ তাঁদের ৰক্ষতার মধ্যে দেখিয়েছেন যে এই ইংরাজ কোম্পানি কডি বছরের শোষণের স্থযোগ পেয়ে তাঁরা শুধ পাঁচ কোটা টাক। পাবেন তা নয়, তাছাতা আরও তারা বছ কোনী টাক। আমাদের দেশ থেকে শোষণ করে নিয়ে বাবেন। যতদিন ভারতবর্ষে এই ধরণের শোষণের ব্যবস্থা চলতে থাকবে তত দিন আমাদের যে শোচনীর অবস্থা তার অবসান ঘটবে না। আমি সেই জন্য আমার বক্ততায় বলছিলাম যে তারতবাসী ৰনে করেছিল, বে এ দেশ খেকে বৃটিশ শাসনের অবসানের পর সমন্ত বিদেশী কোম্পানীকে বাজেরাপ্ত . क्या शरप। बारक्यान्ध कवाठा Constitution बिरवाबी बरन व्याप्त बरन कवि ना। कावप नवकावरक খনেক সময়, খনেক জিনিঘই ৰাজেয়াপ্ত করতে হয়। সরকারের পক্ষে ৰাজেয়াপ্ত করা একটা আইনসক্ষত ব্যাপার ৰলৈ আৰি মনে করি। ভারতবর্ষের স্বাধীনভার জন্য, জনসাধারণের মঙ্গলের জন্য যেট। পরোজন সেটা করা উচিত ছিল। পৰ্বেৰ্থ বৰ্ণন ইংৰাজ এখানে ছিল উখন তাঁৱা ৰে সমন্ত আইন এখানে চালাতেন, বলতেন সে আইন, সঙ্গত আইন, জনসাধারণের এই আইন জনুসারে চলা উচিত, এর বিরোধীতা করা উচিত নর। স্বতরাং আজা বলি জনসাধারণের चार्वरक नकरमब উপৰে॰ चान निरंद ना ताचि, अवः करतक चन लाक अहे तकमञ्जर लालत चार्वरक कनाक्ष्मि त्या, छाश्यम चार्यातम वित्यम चित्र रात । धरे विवय चात्र वित्यम किंदू बनएक हारे मा, छन् धरेरेकु बनएक

চাই এবাৰ্নে বাঁড়িৰে বে আনার বনে হচেছ, বাইরে বা ভনতে পাই আৰু ভাই দেবছি। এই কাৰে শেবছি বেভারভবর্ণের উপর বৃটিশের অর্থনৈতিক প্রভুহ, ও পুতিপত্তি এবং ভার শোষণ ব্যবহা, বজার রাখা। বর্তনান গঙাইবেল্ট সেই পোষণ ব্যবহা বাতে আরও কারের থাকে ভারই ব্যবহা করছেন। এই বরণের agreementভারনারণ কর্মাই প্রহণ করবে না। আজকে সামাজ্যবাদ এশিবাকে গুংস করছে এবং ভারভবর্ধকে কন্তিপুত্ত
করছে। আজ সম্পু এশিবার বে মুত্ন আসরণ এলেছে, ভার কলে এই সামাজ্যবাদী পোষণ ব্যবহার শীঘুই অবনান
হবে। আজ বাঁরা এই বক্স বিল হাউসের সামনে উপন্নিত করেছেন জাঁমের এক দিন পেশবাসীর কাছে বারঃ
পোকে পুক্ত ভালবাসে, জনসাধারণের কাছে জবাবদিহী করতে হবে; কারণ এই বিলে কথমও পেশের বছল হাতে
পারে না। এই বিল পুতাহারের জন্য আমি পাবী করছি।

Janab MUDASSIR HOSSAIN: On a point of personal explanation Sir. My name has been mentioned by the honourable member. Now, Sir, I never meant any disrespect or discourtesy to the lady. I have the greatest respect and greatest esteem for the lady concerned. Sir, if in the course of my speech I have used any language which is offensive or which she think, is offensive, I beg to tender my apology for the same.

Si. CHARU GHANDRA BHANDARI: बाननीत न्त्रीकात्र बारशायत. এই विरानत जारनाधना करमर्कानन थरत शराइ । এको। कथा এর मर्स्य या गाँछितम्ह , त्यो। शराइ এই यে এको। agreement Government Trainways Companyর গলে করেছেন, সেই agreementটা আমাদের সামনে আনা হরেছে এবং তাতে এক বিন্দুও বদন করার ক্ষমতা এই Houseএর নাই। হয় তাকে গ্রহণ করতে হবে নইলে সম্পূর্ণরূপে বর্জন করতে হবে। এই অবস্থায় আমি সরকারকে জিঙাসা করি যে এই রকম একটা agreement সরকারের পক্ষে এখা<sup>মে</sup> আনা সমীচীন হয়েছে কি না। সরকার দেশের জনমত জানেন। অবশ্য অন্য কোন industries বা অন্য लोन लोन concernce छाতीयकर्त करा जिन कथा। किन्न त्य नमख industries वा त्य नमख कार्रवादा ইংরাজের স্বার্থ আছে বা ইংরাজ হারা পরিচালিত, সে সমন্ত concern সম্পর্কে জনসাধারণের কি মত তা সরকারের জানতে বাকী নাই। সরকারই হউন কিছা মন্ত্রিকাই হউন যিনিই হউন কিছা আজকের সরকার পক্ষেও সদস্য<sup>ক্ষ</sup> হউন তাঁর৷ ভোটের জোরে এই বিল পাস করাতে পারেন কিছু জনসাধারণের কি মত এই জিনিঘ সম্বন্ধে তঃ र्जाप्पत्र कागरु वाकी नारे। जाएमत्र भरन यपि এই ছিল যে व्यविनाय এই companyरक काजीयकवर्ष না করে তার সঙ্গে চক্তি কর। তাহলে ভবিষ্যৎ কালে যাতে এইটা কিনতে পারেন তা করা উচিত ছিল। তাই এবন কোন একটা agreement कরा উচিত ছিল যেটা আমরা ratify করতে পারতাম বা reject. করতে পারতাম। কিন্তু তা না করে তাঁরা এমন একটা বিল এনেছেন যার মধ্যে একটা ''কমা'', ''দেমিকোলন'' পর্যায় বদল করতে পারা যাবে না। তাঁরা অনেক রক্ষভাবে এই agreementটা করতে পারতেন এবং, Tramways Companyর শঙ্গে একট bargain করারো স্থবিধা হত। তাঁরা একটা resolution করে. একটা draft agreement এনে এই Houseএর সামনে উপস্থিত করতে পারতেন। তখন memberদের ৰত নিয়ে এইটা পাস করা যেত। কিছা সেটা করবার পূর্বে এই draft agreementটা কোন্ নীতিতে, কোনু basisএ হবে সেই রক্ষ কতকগুলি principle করে তাঁরা এই পদ্ধাবটা আনতে পারতেন। তাড়াহড়া না করে এইভাবে করার পরোক্ষন ছিল বলে আমার মনে হর। আমাদের এখানে ৫-৭ট> চুক্তি হরেছিল, সেই চুক্তির তারিখ তিন তিন ছিল, ১৮৭৯ সালের অক্টোবর বাসে, ১৮৯৩ সালের সেপ্টেম্বর মামে ১৮৯৯ সালের ডিসেম্বর মাসে, ১৯০৫ সালের যে মাসে, পড়তি তারিখে হয়। সাত সাত বৎসর অন্তর একটা করে মুযোগ মাসছে। এই জন্য সরকারের উচিত ছিল বাতে এই Houseda মধ্যে দেশের জনমত পতিকলিত. ইন দেইভাবে কাজ করা। তাঁরা এই রক্ষ একটা complete agreement না এনে একটা draftagreement আনতে পারতেন। কোন principle বা basisএর উপর চক্তি করতে পার। বার সেই ৰুক্ষ একটা resolution তাঁৰা এৰানে আনতে পাৰতেন, কিছু ভাগু তাঁৰা কৰেন নাই। এই companyক ইচ্ছা করলে purchase করবারও ব্যবস্থা করতে পারতেন কিছু তাঁর। করেন নাই। এর উদ্দেশ্য হচেছু obvious. এই agreement জারা এবানে ভোটের জোরে পাস করে নিতে পারেন। কিছু জারি ইতিপর্বেই বলেছি বে, ে ছুটি হবেছিল ভিনু ভিনু municipality এবং Secretary of State for Indian সভে, সেট unconscionable bargain. कांवन चानता रानरण नाण्डि स नान चानारानत कारह गांनी कता शरतरह

त्तरे नात्व वर्ति भावता किनएक हारे जारान कात २६ छप निएक शरद। तके। working expenses नाप शिरद (वहें) net income दर छात्र २৫ छन क्षेत्रछ दर्छ शांद ना। अहे। छनत्वहें स्वांस्क बरन क्रदार त्य net incomeds >৫ श्वन इतं, २৫ श्वन धोन कथन। इटल शांदर ना। धारे ठक्किने श्वरत कि जनवात इरबङ्गि ? 2nd October, 18794 Corporation का नाम अकी। हा इरबङ्ग : तार हा विकास Calcutta Corporation ৰ ব্যক্তি হয়েছিল তখন Corporation ৰ অধিকাংশ সভাই ছিলেন ননোনীত बक्ता बदः जद Chairmany कितन बत्नानीज। ज्यनकार पितन in the Suburbs of Calcutta. त्ववन त्वद्यांना Municipalityएछ त्यवानकात्र अविकाशन Commissioners अवः Chairman बत्तानीछ हित्तन। दे:बात्मन जारन जारन क्यान मना September, 1893 and December, 1899 সালে এই রক্ষ চ্স্তি হরেছিল এবং বাঁর। চ্স্তি করেছিলেন তাঁরা জনসাধারণের পতিনিধি নন। তাই तारे कि जनगात रव price इस राहे। prohibitive, छाटे जाननाता यनि এই तकन अकी शांका कि না এনে একটা draft নিয়ে আসতেন তাহলে আমরাও তিনু মত পুকোশ করতাম। এই Tramways Companyee यमि बाजीवस्त्रन स्त्रांत छल्मना निष्य छात्र मन्त्रसीन श्राप्तन छाश्यम এই स्वर्णव अकी unfair हिक जानात्मत नागतन शांका करारक एक ना। এই देन ना अने करार करात क्षेत्र करार करार वर्गभवता Governmentcक বে অভিশাপ করবে সেটা Governmentকে সহ্য করতে হত না। কিও গভর্ণনেণ্ট তা করেননি। এই ছক্তি সম্পৰ্কে অনেক কথাই ইতিপূৰ্বে আনার বন্ধ দেবেন বাব ও জ্যোতি বাব আলোচনা করেছেন আনি তার আর পুনম্লক্তি করতে চাই না। তবে এই চুক্তিটা যে কত খারাপ তা আমি দেখাব।

একটা কথা হচেছ এই চুজি অনুসারে ২০ বংসর পরে কোশানীকে আনরা বে টাকান্ডে কিনৰ সে টাকা হচেছ ৩৭ লক ৫০ হাজার পাউও, অর্থাৎ পাঁচ কোটা টাকা। কডকগুলি data গড়প্রণেট আনাদের সারনে দিরেছেন এর থেকে পড়ে দেখাচিছ যে কিডাবে ক্রমনুল্যটা calculate করা হয়েছে। তাঁদের কডকগুলি figure—calculation of the purchase price under the contract—সেটা থেকে আনরা দেখতে পাই full value of the full assets of the company as on 31st December, 1949, as per balance sheet হচেছ ২৩ লক ৬৭ হাজার পাউও। যেটা book value ভার পাুন শতকরা 40 per cent. বৃদ্ধি করা হয়েছে, বুলা বৃদ্ধির জন্য। 40 per cent. for net appreciation in value সেইটা ধরা হয়েছে। তারপর, তার উপর purchase price, current assets, assets, fixed assets, for renewals and replacements ইত্যাদি যোগ করা হয়েছে। এই সমন্ত যোগ করে যা থাকে তার থেকে অনুগুহ করে শতকরা পাঁচ ভাগ করে বাদ দেওয়া হয়েছে। এই সমন্ত যোগ করে যা থাকে তার থেকে অনুগুহ করে শতকরা পাঁচ ভাগ করে বাদ দেওয়া হয়েছে। এই সমন্ত যোগ করে যা থাকে তার থেকে অনুগুহ করে শতকরা পাঁচ ভাগ করে বাদ দেওয়া হয়েছে। এই সমন্ত যোগ করে যা থাকে তার থেকে অনুগুহ করে শতকরা পাঁচ ভাগ করে বাদ দেওয়া হয়েছে। এই সমন্ত করে যে দানে পাওয়া গিয়েছে সেটা আবার চুজি অনুসারে ২০ বংসর পরে কেনা হবে। আমরা যদি বরেনি যে কোলানীর যে assets আছে এবং তার বৃদ্ধি মূল্য দেওয়া হয়েছে, তার 5 per cent. বাদ দিরে যে purchase price আছ কয়া হয়েছে ডাতে যা দাঁডিয়েছে।

বিশ বংসর যে assetua উপর নির্ভন করে যার উপর basis করে এই calculation করা হয়েছে এবং তার কলে আমরা দাবটা যে দেবো, তারপর আমরা যবন এই কোম্পানিটা পাব তখন সেই asset খাববে কি না। আজকে যদি এটা কিনে নিতান তাহলে কডকটা ন্যায়সলত হত এখন যা fixed asset আছে তার উপরে মূল্যটা হত। কিন্তু ২০ বংসর পরে এই asset আমরা পাব কি পাব না এটা বিচার্যা। বর্জনানের এই যে assest, বাড়ীযর, plant এ সমন্তই যে ঠিক খাকবে তার একটা বিধান এই মূজির মরেছে সেটা হচেচ এই যে গভর্গনেন্ট পুতি বংসর কোম্পানিকে ৮০ হাজার পাউও রাখতে দেবেন for repair and replacement. এই একটা নাত্র clause আছে যা খেকে আমরা বুরতে পারব এই asset খাকবে কি না বিশ বছর পরে। সাধারণত: যখন income-tax ধার্যা করা হয় তার depreciation rate 10 per cent. সাধারণত: যখন commercial rate ধরা হয়। তাতে 5 per cent. depreciation ধরা হয়। তাহলে ২০ বছর পর্যান্ত বিদি 5 per cent. করে depreciation হয়। তাহলে ১০ বছর পর্যান্ত বিদি 5 per cent. করে depreciation হয়। তাহলে এইবে ক্রেছা বিদ্যান্ত করা হয়েছে for repairing and renewal কে চাকা পর্যান্ত কিনা। এই বে ক্রমণত হচেছ, সেটা পূর্ব করবার পক্ষে। আমরা বিদ calculate করে দেখি যেটা বে asset আছে তাদের হিসাবে বা দিয়েছেন সেখানে ৮০ হাজার পাউও for repair and replacement করে calculate করে দেখি বে 2 per cent.—শতকরা ২, করে পড়ে নাত্র। এই বে fixed asset

ৰা আছে, জ্ঞা বৰি থাকে, ভাহলেও  $2\frac{1}{2}$  per cent. (আড়াই per cent.) এর বেশী পড়ে না। তার উপর বহু দিনের রন্দি বাল, বছদিনের পুরাণো plant এটা বদি ধরা হর ভাহলে হার কম হবে। আদী হাজার পাউওের বদি বাল 2 per cent. হর ভাহলে make up হতে পারে, এখানে 3 per cent. করে পুতি বংসর বে লোকসান হবে তা make up করবার কোন উপায় নাই। আর একটা কথা সরকার পক্ষ থেকে বনতে পারেন বে agreement, i. e. clause 4, item হৈতে আছে ২০ হাজার পাউও ধরা হরেছে সেটা বেশী হতে পারে, সেটা কোন অবস্থার হবে।

Thirdly, setting aside each accounting Year, in renewals and replacements, further sum 80 thousand pounds sterling or a greater sum as contractors of the company for the time being may in consultation with the Government consider necessary in the light of experience or a new increasing price অৰ্থাৎ তিনটা অবস্থায় এই যে ৮০ হাজার পাউণ্ডের বাবস্থা করা হয়েছে in the light of experience তা থেকে কি পাই দেখতে হবে, অৰ্থাৎ আগে আগে যে খরচ হয়েছে তা থেকে দেখি ১৯৪৩ সালে repair and -replacement বাবদ বাম হয়েছিল মাত্র ১০ হাজার পাউও। ১৯৪৪ সালে ১৮ হাজার পাউও, ১৯৪৫ সালে প্রায় ৩৩ হাজার পাউও, ১৯৪৬ সালে ১১ হাজার পাউও, ১৯৪৭ সালে মাত্র ৯ হাজার পাউও, ১৯৪৮ সালে ৩৪ হাজার পাউও, ১৯৪৯ সালে ৬১ হাজার পাউও। এই জন্য In the light of experience আৰৱা দেখছি এই বাৰদ ৰৱচ কখনো ৬১ হালাৱ পাউণ্ডেৱ ৰেশী হয় নাই, কিন্তু এখন দেখছি সেটাকে বাড়ানো হচ্চে ৮০ হাজার পাউও। In the light of experience যদি হয় তাহৰে fixed asset ৰিছু বাড়তে পাৰে। কিন্তু আমি যা পূৰ্বে বলেছি—বৰ্ত্তমান যে assets তার depreciationই বা কি लिहा विकास विषय । जानभन increasing price এत स्थान यपि दानी होका बनाम कता हम. जाहरन সক্ষে বিepreciationটাও ধর্তব্য। তাই কোন অবস্থাতেই ৮০ হাল্পার পাউও ধরচ করার যৃক্তি प्पित्र ना। ज्यवंक वह पिरनत शूत्रारण plant ও asset- शुं वरणत 3 per cent. कतरन, छात्र ज्यवना কি দাঁড়াবে কেউ বলতে পারে না। ওধু তাই নয় আরো আছে। গতর্পবেণ্ট যা আমাদের সামনে উপস্থিত করেছেন, তাতে আছে যা fixed asset যা তাঁরা দিয়েছেন—সেটা কি দেখা যাক। কোন value কোনো জান্নগান্ন তার কেউ কমেণি। কোম্পানির বইয়ে যা লেখা আছে—book value of the companyর asset, on the December, 1949य या ছिल, তারপরে পঞ্চাশ সাল, তারপরে একানু সাল, এই ব্যবস্থা কার্যাকরী হবে ডিসেম্বরের পর থেকে। তা যদি হয় ভাহলে আরো দু' বছরের depreciation তার সঙ্গে যোগ হবে। কাজেই যে asset আমরা পাচিছ পুকৃত পক্ষে তা নয়। দুই বছরের depreciation—10 per cent. তার সক্ষে যোগ হরে গেছে।

এখন এই agreementএর কথা আপনার। সকলে চিন্তা করে দেখুন। ওঁদের principleটা শীকার করে নিলেও কোন্দানির যে asset আছে তা থেকে যদি 10 per cent. বাদ দেই তাহলে যে মূল্য দাঁড়ায় শুক্ত পক্ষে যে জিনিঘটা আমরা পাব তার দাম ৫ কোটি টাকার স্থলে সা কোটির বেশী হয় না। যে নীতিতে, যে principleএ, যে basisa, ওঁরা calculate করেছেন সেইভাবে liberally calculate করেছেন এটা দাঁড়ায় না। অথচ ওঁরা ৫ কোটি টাকা ধার্যা করে দিয়েছেন। অতএব আমি পুনরায় বনবা স্বকারের উচিত ছিল এই রক্মটা না করে একটা draft agreement করা। এখনো সময় আছে; এবানে এই agreementএর clause 9এ যা দেখি তাতে এই একটা বিষয় পরিছার লেখা রয়েছে "This agreement shall be binding subject to an Act by the Legislature of West Bengal confirming it".

এখন বদি আবর। এটা ratify না করি তাহনে কারে। উপরই এই agreement কার্যাকরী হবে না। আতএব আবার সরকারের কাছে দাবি এই বে তাঁরা এই বিলটাকে পুত্যাহার করে নিন, এবং পুত্যাহার করার পর এখানে বেরূপভাবে আলোচনা হলো সেই lightএ কোম্পানির সমুখীন হোন। এবং কোম্পানিকে বলুন বে agreement করা হরেছে সেটা unconscionable bargain সেটা repudiate যদি এখনি না করা হর তবে অবিলবেই আতীরকরণ করতে হবে। আর compensation বদি দিতে হরই, দিতেই আবর। চাই,—ক্ষিত্ত কোটা হতে হবে reasonable compensation. আরাদের Constitutions আছে—এই

ক্তিপূৰণ কোন principle বা mannerএ দিতে হবে। Share capitalএর যুদ্য কোঁ দেটাকে বদি টাকার ক্ষপাত্তবিত করি তাহলে দাঁড়ার ১ কোটি ২৫ লক্ষ্ণ টাকা। আর company's assets বা আছে তা ২০ বংসারে ঐ ১ কোটি ২৫ লক্ষ্ণের বেশী থাকবেই না হবত। স্নতরাং আনি সরকারকে এই কুখ্যাত-বিলটা প্রত্যাহার করতেই বলছি।

Dr SURESH CHANDRA BANERJI : बाननीय न्नीका बरहापत. 8 पिन श्रद এই विनामन चारनाठना ठनरह । এর পক্ষে এবং বিপক্ষে অনেক কথা বলা হয়েছে। এই পরিষদের বাইরেও এই বিল নিয়ে তর্ক-ৰিভৰ্ক হয়েছে সংবাদপত্ত্ৰেও যথেষ্ট আলোচন। হয়েছে। সম্পতি আমাদের অর্থমন্ত্রী মহোদয় এক বিবতি প্রসঙ্গে नलिहिलन-এটা business like स्टार्ट्स, नाम अ ठिक स्टार्ट्स, तन किसूरे ठिक मण्डे स्टार्ट्स। जामारमम माननीय मंत्रा मही महानय बल्लाइन जिन बावनायी এवः त्यारे हिल्लाइन व लाइन व এটা business like হরেছে। किन्न এशान जना এकछन वावनायी नीवियन চক্র বোদ বলেন যে এটা business like হয় নাই। এটা অব্যবসায়ীর মতন হয়েছে। আমার বন্ধ দেবেন সেন তাঁর যুক্তিপূর্ণ বক্তৃতায় দেখিয়ে দিয়েছেন---বে দাব নির্দারিত হয়েছে সে দাম, কোম্পানির বিভিনু প্রতিষ্ঠানের সঙ্গে যে চুক্তি আছে সেই অনুসারে যে দাম, जांद्र किया जात्मक दन्नी इराम्राङ् । जांद्र এथारन कांक्रवावु कांद्र कथापूर्व वर्क्क्श दात्रा बुबिरम निरम्राङ्ग व्य अके। এको चरावनात्री मुलक agroement इत्यरह। जात्रि निरक्ष राजनात्री नरे, जात्रि এक्छन तांखरैनिजिक। जात्रि बाम्ट्रोनिकिक मेष्ट्रै एकि मिर्स धरे विरामत वाशारशाए। विहास करत्नि । ताम्हर्गनिक्तिक कर्सना शरफ गर किछ विहास করবার সময় ভেবে দেখা উচিত আমর। যে কাজ করছি বা গভর্গমেণ্ট যে কাজ করছেন তা হার। দেশের জনগণের मकन कि ष्वमकन १८व। (म पिक (धरक विठात कतरन--- सुठता: म पिक (धरक विरवहना कतरु १८व, विनहें। উভর পক্ষেরই বাঞ্চিত कि ना। यদি তা না হয় তাহলে আমাদের বাষ্টের অসীম দৃঃৰ ও লক্ষ্মার কারণ হবে। লভুজার কারণ কেন হবে তা সেদিন বস্তুতার সময় বলেছি। আমাদের এই রাষ্ট্রের মঙ্গল সাধন যে ভাবে আমর। চলেছি সেই ভাবে কথনই সম্ভব হবে না। মন্ত্ৰীরা যতই ভাল করতে ইচ্ছা করুন না কেন, যদি আমাদের এই সমস্যাসন্থল রাষ্ট্রের মঙ্গল সাধন করতে হয় তবে আমাদের অর্থনৈতিক নীতির আমূল ও বৈপুরিক পরিবর্তন সাধন করতে হবে। এবং এই বৈপবিক পরিবর্ত্তনটা এমন ভাবে করতে হবে যাতে যে সমস্ত বড় বড় ব্যবসায় প্রতিষ্ঠান আছে, যেমন অটকল, পাট শিলপ ইত্যাদি রাষ্ট্রায়ত্ত কোরে তা ভালভাবে পরিচালনা কোরে যে লাভ হবে ডা জ্বাতির ও রাষ্ট্রের গঠনমলক কাজে নিয়োগ করতে পার। যায়। সেদিন আমি বলেছিলাম আমাদের বাংলাব পাট শিলপ পশ্চিমবঙ্গ গভূৰ্ণনেণ্ট যদি রাষ্ট্রায়ন্ত কবতেন তবে ১০০।২০০ কোটি টাকা আমাদের গভূৰ্ণনেণ্টের পক্ষে পাওয়া সম্ভব হতো। এবং সে টাকার ছারা পশ্চিমবঙ্গের বহু সমস্যা দামোদর পরিকল্পনা, মার পরিকল্পনা, উছাস্ভ সমস্যা ইত্যাদি আবও অনেক সমস্যার সমাধান হতো। কিন্তু গতর্ণমেণ্টকে যথনই কিছু করতে হয় তথনই শোনা याद्र होका नाहै। ज्यक्ष जामारमंत्र हरकत मामरन त्य होका बाग्र दय त्राहे। ज्यादिव मन्नत्वत जना वाग्रिक ना दरम मुहैरनम লোকের পকেট স্ফীত করে তুল্ছে। এই ভাবে চল্লে গভর্ণমেণ্ট যত টাকাই বায় করুন না কেন আমাদের রাষ্ট্রের সমস্যার সমাধান হতে পারে না। আমাদের দুগতির অবসান তো হবেই না, উপরম্ভ দিনের পর দিন বেড়ে यारत। जानता वर्ज्ष ना Tram Company ताष्ट्राग्रस्ड कदल्लटे त्रकल त्रमतात त्रमाधान इत्य वारत। It is a symbol রাষ্ট্রায়ন্তকরণ নীতি আমরা গহণ কবেছি। এই নীতি আমাদের পক্ষে। আল গভর্ণমেণ্টের পক্ষে ৫ কোটি দেওয়া সম্ভব নয়, ২০ বংসর পরে কি কোবে সম্ভব হবে। মৃতরাং এই নীতি সম্পূর্ণ অবান্তব নীতি ও কাজে পরিণত করা অসম্ভব। স্বতরাং এই নীতি যত শীধ পবিবর্তন করা যায় ততই রাষ্ট্রের পক্ষে মঙ্গল। আৰাদের Constitution a expropriation allow করে না। চারুবাবুর কথা সমর্থন কোরে আনিও বৰ্ছি share-holdersদের ন্যায়ণকত Compensation দেওয়া উচিত। Tram Company পুরাণো হয়ে গেছে স্নতরাং আমার মতে Book Value হওয়া উচিত ৩ কোটা ৫৭ লব্দ টাকা। এই টাকাটা পুতি বংসর ১১ লব্দ ৭০ হাজার টাকা দিলে ৩০ বংসরে পরিশোধ হয়ে বার। তাহলে Tram Company আবর। নিজের হাতে নিয়ে বে লাভ হবে তাতে রাষ্ট্রের বফলজনক অনেক কাজ অনারাদে হতে পারে। কিছ ৰে নীতি খানর। পোষণ করছি সেই নীতি খানাদের রাষ্ট্রের অবজনকর। রাষ্ট্রারন্তকরণ নীতি খাবর। গ্রহণ করেছি এবং বেছার ও বৰাপদেশে কাজ জারভ হরেছে। তারপর জারাদের Constitutionও সেই ভাবে সংশোধিত হরেছে। খাৰৱাও দেইটা বেনে নিৱেছি। খাৰৱা Compensation দেব, কিছ কোন নীভিতে ও কিউবৈ Compensation দেব তা সম্পূর্ণ নির্ভন করে আবাদের উপর। আবরা ব্যবহা পরিবলে আইন করে তা ট্রক ক'রে বিতে পারি

আনর। আৰু বে পুতাৰ করছি ০ কোটি ৫৭ লক টাকা ০০ বংসরে দেব এই রক্ষ একটা আইন বদি Dr. Roy আনেন আনহা সানলে তা পুহণ করব এবং তা হ'লে এই বুহুর্ডে Tram Company nationalise করতে পারব। ব্যাপ্রাপ্ত বা করেছে আনরাও তা করতে পারি। আনরা পরে Compensation দিতে চাই। অবাত্তরের পর্যে আনরা বেতে চাই না। অন্যান্য রাই এগিরে চলেছে। বহারতি গোখেল এক সমর বলেছিলেন what Bengal thinks to day India thinks tomorrow আনি বল্ডে চাই, what other states do to day we cannot do অবস্থা আন্তরে হচেছ এই। এর চেয়ে অবিক অপনান আর কি হতে পারে? তাই আনি বল্ছিলান এটা আনাদের অসীন দুংবের কারণ হবে। আতির ভাগ্য অভি সভীর প্রকে নিষ্ট্রিঅত হবে; সময়ে বাংলার মাধা নত হয়ে বাবে।

Tramway Company, Calcutta Electric supply Corporation, Jute Industry এবং আরও অন্যান্য industry আবর। nationalise করতে পারতাম এবং সমস্ত বাংলাকে নূতনভাবে আগিরে তুন্তে পারতাম। নব আগরণ আনরন ক'বে বাংলার চেহারা পরিবর্তন ক'রে দিতে পারতাম। শুধু বাংলার কেন, সমস্ত ভারতবর্ধের অর্থনৈতিক চেহারা পরিবর্তন করে দিতে পারতাম। গোখেল এক দিন যা বলেছিলেন তা সত্য হোত। কিছু আমরা তা করিনি; আইনও আমাদের পক্ষে ছিল, কিছু আমাদের সাহস ও দূরদৃষ্টির অভাব। গৃল্লিবাদী এই নীতি সমস্ত বাংলা ওখা ভারতবর্ধের মাখা নত করে দিয়ে আতির সর্বনাশ করেছে।

এখনও ইচছা করলে Dr. Roy জাতির মঞ্চল করতে পারেন; তাহ'লে আমরা তাঁকে স্বান্ত:করণে সমর্থন করন ও সহবোগিতা দেব। যদি তিনি তা না করেন, তাহলে আমি মুক্তকণ্ঠে বল্ছি এই জাতি এই আইন কথনো নানবে না। এই আইন বাংলার বেশী দিন চল্বে না। Dr. Roy বলেছেন counting the chickens before they are hatched করে কোন লাভ নাই; আবি বল্ছি One day they will be hatched, এবং what Bengal does to day the whole of India does tomorrow, তা সতা হবে। আমরা না থাকলেও এ দেশের লোক তাদের অর্থনৈতিক আধীনতার জন্য নিশ্চমই চেটা করবে। একদিন আমাদের অপু সকল হবে। বাংলা দেশের লোক এই আইনকে টুকরো টুকরো করে ছিঁছে কেলে দেবে।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I do not think anybody can blame us for having no patience to listen to the speeches from the other side of the House. There has been no truer word spoken during this debate than the one sentence which Mr. Jyoti Basu said yesterday, viz., for the purpose of nationalisation it is not enough merely to change the management, it is not enough to be able to control and manage a concern but that we should be able to manufacture the goods here: we should be able to look forward to the day when we shall in this country be able not to depend upon any help from outside except such as is obtainable in the ordinary trade relationship for running a concern like this. It is from that point of view that the Government of West Bengul had offered and the Government of India had acquired land for locating the Chittaranjan Locomotive Works in Bengal. It is for the same purpose that we have arranged that cable and machine tools manufacturing concerns should be located in Bengal because we want to manufacture them. It is for the same purpose that we made an offer to the Government of India to acquire the buildings and lands at Hijli for the establishment of a higher technological institute so that our boys may learn higher technology and increase production in every field. It is for the same purpose that we acquired from the Government of India and established the ceramic and glass factory so that our boys may learn how to manufacture ceramics and glass. It is for the same purpose that we have acquired and located the Mathematical Instrument Factory at Jadavpur so that our men can learn to manufacture mathematical instruments. It is for the same purpose that we have established the motor transport department and arranged with those who supply us with chassis and elements of bodies that they should help us not merely to manufacture the body but the machines and other parts which drive the engine. I say that as far back as 1918, long before I came into politics, I started a concern, not by trying to oust bodily the European

elements but in competition with the great manufacturing concerns like the Parke Davis, and Burrows Wellcome, and we tried and succeeded in manufacturing serum and vaccine in India and in Bengal which had been considered impossible. I have always followed the principle that what man has done, man can do and I think today instead of fighting on the political platform to gain little things we should join together to try and find out and remove the blot from our midst so that our men may develop these industries and not only run the industries but also run the industries in competition with outsiders. I have faith in my countrymen and I do believe that they can stand in competition with anybody coming from any part of the world. Only our difficulty has been that we are rather backward because we have not had the advantage of scientific advance that has taken place in other parts of the world. But we shall make good our drawbacks. It is for that purpose that we have developed our own salt manufacturing concern at Midnapore. It is for that purpose that we are trying to solve the problem of deep-sea fishing which has baffled many progressive Governments from time to time. It is for that purpose that we are going ahead with all these concerns. Therefore I am not one of those who believe that by only driving out the Europeans we can do it. I have no inferiority complex. I feel we can fight with them.

But, Sir, the position is entirely different here. The position is that the Tramways Company had entered into contracts with different statutory bodies. My friend, Mr. Charu Bhandari, has quoted figures that the contracts had different varieties. That appears to be so only on a superficial reading of the contracts. I have all the contracts with me and every one of these contracts ends on the 1st of January, 1952. I say that without any fear of contradiction. It is true that they were made on different dates but the ending period begins on the same date. It was necessary that for every one of their there should be a year's notice to be given for acquisition. That notice has not been given. That was the position which was put before us in February and March, 1951—

#### **SJ. BIMAL COMAR CHOSE:** On a point of information, Sir—

The Hon'ble Dr. BIDHAN CHANDRA ROY: I wish they will not interrupt me as I did not interrupt them. Every one of these contracts ends on 1st January, 1952, and therefore the choice lay with us as to what we should do: how we should approach this problem. You will find in the very beginning of the Bill itself as to how to acquire the property and how to acquire the management of the concern. It is true that the acquisition of this concern does not follow the ordinary orthodox routine method of purchasing straightway either by paying in cash or, as my friend Dr. Banerji has said, by paying under the cash credit system. But that is not the point. The point was, here were the old agreements and as we did not give notice in time the agreements will remain in force for seven years. You can tear off the contracts and say that we shall not listen to it. But there are the High Court and the Supreme Court which you cannot abolish by tearing off a piece of paper here. Therefore I have to make the best of a bad bargain. I would not like to call it nationalisation but at the same time under the circumstances this is the best that could be done.

Then I come to the various points, although I would have preferred not to refer to them at this stage for consideration. But I will now refer to the various small points that have been referred to by my friends opposite. First of all, Mr. Deben Sen seems to think that the figures given on the first page were not quite correct. I say this is entirely wrong. I have got the balance sheets from 1938 onwards. If he takes certain figures and calculates in a certain way he will find that that is all right.

Statistics is always intended to delude the unwary but I have spent some time over it and I can say that the working expenses include the renewal item. That has been provided for in the column against that item although Sj. Deben Sen says it was not.

The other point raised by Sj. Deben Sen is, why take seven years, take only three years and then the profit would not be so much. In reply I say, why not take the year 1947? it is minus 54,000 pounds and you multiply why not take the year 1941? It is minus 54,000 might get something from them and not give anything to them. That is one way of looking at the thing, but the other way is this. The contract says "last seven years". You cannot take three years because it says seven years. Nor can you take one year because it says seven years. Then my friend Sj. Charu Chandra Bhandari in his eloquent speech spoke about depreciation. I do not know how much business he has run, but he ought to know that the rates of depreciation on different items of industry are different. Land is not to be depreciated by five per cent.; building is not to be depreciated by five per cent.; and permanent way is not to be depreciated by five per cent. Let him go and enquire of the Registrar of Joint Stock Companies, and he will find out that there are different depreciation rates for different objects. I put it to him, does he believe in the theory that a piece of land which was worth Rs. 100 in 1920 and we are giving Rs. 140 for it—does he think that the value of Rs. 140 will go down in 1972 to a figure of Rs. 50? If he thinks so, I have no quarrel with him. He has his own opinion and I have mine. He has said that for a period of three or four years the amount of depreciation has been shown to be low. I feel this was during the period of war years. If he had taken care to look at the figures properly, he would have seen that during the war years, 1943, 1944, 1945, 1946, 1947—of course 1947 was a difficult period here—the amount spent on renewals and repairs was low because they could not get the materials. But if he had seen a little lower, he would have found a provision of £3,37,000, which is for the purpose of making good the small depreciation of previous years or renewals of the previous years. My friend Sj. Debendra Nath Sen wants to know why did we not define the words "capital at charge". I was greatly surprised that he should make such a remark. "Capital at charge" is an expression which is well-known to those who are accustomed to see balance sheets and to read accounts. "Capital at charge" does not mean the fixed capital. It does not mean the capital which was subscribed by the shareholders only. And why is that so? You will find that £9½ lakhs is the amount that is given by the shareholders. Seven lakhs have been added to it because that was the amount that accrued out of the previous year's balance. It was open to the shareholders either to share that amount among themselves or instead of increasing the share capital as we always do in other concerns, you put in the capital reserve into the capital. Now, the question is they tell me that this is an important item—capital at charge at the present moment. You will find in the Bill itself the amount that is provided for dividend on capital at charge is a fixed amount. It does not vary from time to time—because every year as we go along the capital at charge will go on increasing perhaps. As we put in more money into the Renewals and Replacements it goes to the capital. So we do not want that. We have fixed the capital. We have said we shall give you four per cent. only on the capital at charge at the present moment—that we shall not go on increasing the capital at charge at your wish and pay four per cent. on it. That is a point which my friends opposite probably have missed.

Then the question has been raised about the Advisory Committee. Again, I say that the whole proposition was that they had—let us use a very hackneyed expression—the whip hand because they were in possession. If

we did not make a contract-if we threw it away-and if we said "take it back"-then what happens-they go back to the old contracts and they depend upon those contracts which were existing for seven years. The question is, shall we do that or shall we not. If we do it, shall we do it for ten, fifteen or twenty years. While they have yielded on some points, they have not yielded on the question of twenty years. They have yielded on this question that the Advisory Committee be appointed. I now ask any gentleman present here—if he has got a house or has to manage a businesswould he allow anybody from outside to come and advise him? Would he appoint an advisory committee to tell him who his servants would be or what would their wages be? Yet in this connection although they have brought in the capital at the present moment—vet they have agreed to have an Advisory Committee, not merely for giving advice in general terms but also on the question of the labour dispute, on the question of the fares to be charged as well as on the question of new alignments that are to be made in the Tramways Company. Those will be the functions of the Advisory Committee. I do hope and trust that the members of the Adivosry Committee will see to it that those properties are kept in proper condition as is mentioned there in the Bill—that these conditions are given effect to—that all the conditions of the Bill are given effect to. If the Tramways Company do not do it, the agreement is an agreement, and the Advisory Committee will advise and tell the Government and the Tramways Company that the agreement is gone. Now what would happen? There would be an arbitration and, after that, they can go to the High Court and so on. an arbitration and, after that, they can go to the high Court and so on. My point is—starting from this issue—that there is a Company which enjoy certain contractual privileges—whether we should allow them to have those privileges which according to my calculation—of course, I do not agree with the calculations given by my friends opposite—are twice as much today as the value which we have given them. Whether we should do that or whether we should at least try and get some control over them?

There is another point which is very important. We want development, and yet we do not want an unplanned development. We want that the development of the Tramways Company should proceed according to the desires and interests of the people. Therefore, whenever any new capital is to be taken, for that sanction has to be obtained of the Government of West Bengal. We can tell them that you can develop the tramway in a particular route for which you can raise this capital—unless you are able to do it—by simply changing over from one place to another—by taking away the permanent way from one place to another.

There is another point on which I am very keen as somebody hinted here—I do not know who he is—that it is necessary that, in order that there should be a development of the transport system, there should be some correlation between the Tramways Company and our bus service. And through the Advisory Committee we feel that it should be possible for us to have no competitive fares over the same route—where the tram and the bust services run together. I have not given up my old vision of having a transport service for the whole of West Bengal—not merely to cover the bus service, the road service, the tram service but also the aviation service as well as the inland steamer service; and for that purpose we have taken in hand very large repairs of roads in different parts of the State. We feel that we shall be able to have a Transport Board as soon as we have got all the materials ready, so that this Transport Board can co-ordinate and facilitate the work of transport in the whole of West Bengal.

Finally, Sir, I do say—and I say that with all the emphasis at my command—that we have spent hours, days and weeks examining this project from various points of view—not merely from the point of view of

a financier but also from the point of view of what political effect its would have. I do say this that seeing all the conditions that are present the agreement that we have arrived at at the present moment is the best agreement that we could under the circumstances. It is possible that in future years we might again come to another agreement with the Tramways Company which would be more favourable.

Sir, a question has been asked—you have been asked that question once or twice—as to whether there can be an agreement of this type which would be sacrosanct and which cannot be touched and yet which would be put in a Bill. I would remind the members of the House of what happened to the Irish Treaty Bill in which the Speaker of the House of Commons said that the Bill is there as a result of contract between two parties. Ireland and England, and not one word, not one semi-colon, and not one comma could be altered. The agreement has to be taken or rejected as it stood. Therefore this is nothing very unusual. This happens whenever there is a question of a contract between the Government and another party outside. Therefore, Sir, we have done the correct thing in bringing it before the Legislature and asking them to ratify this agreement.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the Calcutta Tramways Bill, 1951, as settled in the Assembly be passed was then put and a Division taken with the following result:—

#### A ves-48.

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanailal
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab
Mahamty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Beharl
Majhi, Sj. Nishapeti
Majumdar, The Hon'ble Bhupati

Mai, Sj. Iswar Chandra
Mailick, Sj. Ashutosh
Mandai, Sj. Annadaprasad
Mandai, Sj. Bankubehari
Mandai, Sj. Bankubehari
Mandai, Sj. Sowrindra Mohan
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab
Muhammad Siddique, Dr. Syed
Murarka, Sj. Basantial
Naskar, Sj. Ardhendu Sekhar
Naskar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pramanik, Sj. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Ricketts, Mrs. E. M.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Roy Singh Sarker, Sj. Satish Chandra
Serajuddin Ahammad, Janab
Shamsui Huq, Janab
Zaman, Janab A. M. A.

#### Noes-13.

Abdui Aziz Ansari, Janab Mohamed Badrudduja, Janab Syed Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati

Chatterjee, 8j. Haripada Choudhury, 8j. Annada Prosad De, 8j. Kanal Lai Ghose, 8j. Bimal Comar Ghose, Dr. P. C. Sen, 8j. Debendra Nath

The Ayes being 48 and the Noes 13, the motion was carried.

The West Bengal Fire Services (Amendment) Bill, 1951.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to introduce the West Bengal Fire Services (Amendment) Bill, 1951.

(The Secretary then read the short title of the Bill.)

The Hon'ble JADASENDRA NATH PANJA: Sir, I beg to move that the West Bengal Fire Services (Amendment) Bill, 1951, be taken into consideration.

The motion was then put and agreed to.

#### Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

### Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

#### Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

#### Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

#### Clause 5.

The question that clause 5 do stand part of the Bill was then put and agreed to.

#### Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

#### Clause 7.

The question that clause 7 do stand part of the Bill was then put agreed to.

## Clause S.

The question that clause 8 do stand part of the Bill was then put and agreed to.

#### Clause 9.

8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 9, in proposed section 14, in line 14, for the words "shall, in writing" the words "shall, upon application made in writing to the Collector," be substituted.

The motion was then put and agreed to.

The question that clause 9, as amended, do stand part of the Bill was then put and agreed to.

## Clause 10.

The question that clause 10 do stand part of the Bill was then put and agreed to.

## Clause 11.

The question that clause 11 do stand part of the Bill was then put and agreed to.

#### Clause 12.

The question that clause 12 do stand part of the Bill was then put and agreed to.

#### Clause 13.

- **8]. HEMANTA KUMAR BASU:** Sir, I beg to move that after clause 13(b)(iii) the following paragraph be added, namely:—
  - "(iv) the following further provise be added-
    - 'Provided that if a room or small space in a building be occupied for storing inflammable articles, the licence fees therefor shall be calculated on the annual rental value of the portion actually occupied in storing such goods.' "

আবার এটা বোগ দেবার কারণ হচেছ, এখন যে ব্যবদা আছে তাতে করে সমস্ত বাড়ীর বে Municipal valuation সেই হিসেবে তাকে দিতে হব। আমার এই proviso এর বানে হচেছ বে বাড়ীর বত টুকু portion এবা বাবে বাল store করা হবে। তারই rental value basis d license দেওরা হবে।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with regard to this amendment and with regard to the amendment of which Mr. Clarke has given notice, I would like to point out to my friend Sj. Hemanta Kumar Basu that this Bill is intended primarily for the purpose of varying the rates not merely on the rental of a particular place but also on the quality and quantity of goods. Supposing you have got a small area, say, 100 sq. It. in which very inflammable goods are kept, certainly we may charge more with regard to that, because that may cause fire to semi-inflammable materials. There have been some applications or representations made by the timber merchants or the furniture merchants of Bowbazar and other areas where also they have asked for certain concessions regarding the rates such as Sj. Hemanta Kumar Basu has suggested. Similarly Mr. Clarke has suggested—

Mr. SPEAKER: Mr. Clarke's amendment has not been moved.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I just wanted to mention that we are examining every one of them and I may say that we will examine this position also to see if we can give relief to smaller industrial concerns and, then, if necessary, we shall bring in an amending Bill later. But at the present moment it is very difficult to accept the amendment as it stands.

The motion of Sj. Hemanta Kumar Basu that after clause 13(h)(iii) the following paragraph be added, namely:—

"(iv) the following proviso be added-

'Provided that if a room or small space in a building be occupied for storing inflammable articles, the licence fees therefor shall be calculated on the annual rental value of the portion actually occupied in storing such goods.'"

was then put and lost.

The question that clause 13 do stand part of the Bill was then put and agreed to.

#### Clause 14.

The question that clause 14 do stand part of the Bill was then put and agreed to.

### Clause 15.

The question that clause 15 do stand part of the Bill was then put and agreed to.

#### Clause 16.

The question that clause 16 do stand part of the Bill was then put and agreed to.

#### Clause 17.

The question that clause 17 do stand part of the Bill was then put and agreed to.

#### Clause 18.

The question that clause 18 do stand part of the Bill was then put and agreed to.

#### Clause 19.

The question that clause 19 do stand part of the Bill was then put and agreed to.

#### Clause 20.

The question that clause 20 do stand part of the Bill was then put and agreed to.

## Clause 21.

The question that clause 21 do stand part of the Bill was then put and agreed to.

## Clause 22.

The question that clause 22 do stand part of the Bill was then put and agreed to.

## Clause 23.

The question that clause 23 do stand part of the Bill was then put and agreed to.

#### Clause 24.

The question that clause 24 do stand part of the Bill was then put and agreed to.

## Clause 25.

The question that clause 25 do stand part of the Bill was then put and agreed to.

#### Clause 26.

**8j. 8U8HIL KUMAR BANERJEE:** Sir, I beg to move that in clause 26 in the proposed Schedule to the West Bengal Fire Services Act, 1950, in condition (3) in line 2, for the word "prescribed" the word "prepared" be substituted.

The motion was then put and agreed to.

The question that clause 26, as amended, do stand part of the Bill was then put and agreed to.

#### Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the West Bengal Fire Services (Amendment) Bill, 1951, as settled in the Assembly, be passed.

The motion was then put and agreed to.

# The Bengal Municipal (West Bengal Amendment) Bill, 1951.

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to introduce the Bengal Municipal (West Bengal Amendment) Bill, 1951.

(The Secretary then read the short title of the Bill.)

The Hon'ble JADABENDRA NATH PANJA: Sir, I beg to move that the Bengal Municipal (West Bengal Amendment) Bill, 1951, be taken into consideration.

Sir, the object for which and the reason why the Bill has been brought in have been elucidated in the Statement of Objects and Reasons. I need not dilate further on these topics, but I would like to point out that a mistake has crept in in the Statement of Objects and Reasons. In paragraph 2(e) of the Statement the word "fee" has been printed wrongly—it should be "rebate". I am sorry for the mistake.

With these words, Sir, I commend my motion to the acceptance of the House.

Dr. SURESH CHANDRA BANERJI: Mr. Speaker, Sir, प्यामजा পূর্বে वहबाब বলেছি, আঞ্চও বলছি যে, দ্নিয়া যাচেছ সন্মৰের দিকে, গণতন্ত্রের দিকে, কিন্তু আমাদের Government গণতন্ত্রের নামে সম্পূৰ্ণ বিপরীত আচরণ করছেন। এই কথা অন্যান্য বিলের সময়ও বলেছি, কিন্তু এই বিলটা ভার একটা পুৰুষ্ট দুষ্টান্ত। একটা ভাল বিলকে কিভাবে খারাপ করা যায় তার এই রকম দুষ্টান্ত খুঁজে পাওয়া কঠিন। এই त्य विनोहा अरमरक अहा शरकक ७२ मारनाव Bengal Municipal Actua महानावन । त्यारे विराम बना হয়েছে যে, যদি কোন কার্ত্রে Governmentএর পক্ষে municipality গঠন করা দরকার হয় এবং সেজনা মিউনিসিপ্যাল কমিশনার nominate করা পয়োজন হয় তাহলে এমন কোন লোককে তাঁরা কমিশনার হিসাবে নিয়োগ করবেন না বাঁর নাম Electoral Roll4 থাকলেও ভোটার হবার যোগ্যতা নাই। অর্থাৎ ভোটার লিষ্টএ নাম না থাকলেও যোগ্যতা থাকলেই Government তাঁকে কমিশনার হিসাবে নিয়োগ করতে পারবেদ। এই ছিল ৩২ সালের আইন। তারপর ৩৬ সালে Muslim League Government যথন হয় তথন জীয়া এই चारेटनब ग्राप्ताबन करवन। छाँवा এই करविष्टलन त्य, यपि बिडेनिशिशाल किम्नाव nominate क्वरड হয় তাহলে অন্ততঃ এমন লোককে nominate করা দরকার বাঁর নাকি যথারীতি নির্বাচন অনুষ্ঠিত হ'লে ক্ষিণনার হবার যোগ্যতা থাকত। নির্বাচন করা সব সময়েই বিধেয়। কিন্তু আমাদের Government কি পণ্ডমসম্মত এই বৰম্ব বিধিবিধান পালন করেছেন? আমাদের Government এখন कি করলেন? দুটো কাল করেলেন। পুৰ্বৰে ৰলা হয়েছে বে. Voter Listএ নাম না পাকলেও যদি ভোটার হবার যোগ্যতা পাকে তবে nominate করে নিরোগ করা হবে, অর্থাৎ এ২ সালের আইনে বে কাঁক ছিল সেই ফাঁকই র'রে গেল। কিছ এতেও **জাঁর।** খুনী হলেন না। এমন বহু লোক তাঁদের খাকতে পারেন বাঁদের বোগ্যতা নাই অবচ বাঁদের কমিশনার কর। নানা কারণে পুলোজন হতে পারে; স্মৃতরাং তাঁরা ১৬ এটা জুড়ে দিনেন যাতে নাকি জন্যান্য যোগ্যতা না ধা**কলেও** তথু ৰানুঘ হলেই কমিশনাররূপে নিরোগ করতে পারবেন। এই হল অবস্থা। তাঁরা তো পরিকার করেই <mark>বলুতে</mark> পারতেন বে, বদি মিউনিসিপ্যাল গঠন করতে হয় তবে বাকে ইচছা তাকে কমিশনার করব। কিছ তা **ভাঁর।** ৰদেন না। তীরা ৩ ধারার বলেন "and the State Government may appoint such persons as Commissioners as it thinks fit notwithstanding anything contained in section 16A". ১৬এ বাই বলা পাকুৰ লা কেন, Government বাকে বনে করবেল তাকে করবেল। আবি বুবতে পারি লা এই পোলা কথাটা সাধারণভাবে না ব'লে বেঁকিয়ে বলার কি দরকার ছিল। তাঁরা তো বল্লেই পারতেল আবিষা এই অপকর্মটা করব, কিছ করব সাধুতার মুখোল পুরে। এই বিলটা দেশ কিভাবে বিচার করবে ভেবে পাই লা। বভ পড়ি ততই শুধু এই কথাই মনে হয় এই অপকর্মটা করার জন্য সাধারণ পথে না গিয়ে বাঁকা পথে বাবার কি পুয়োজন ছিল। Dr. Roy তো বল্লেই পারতেল আমার বাকে খুণী তাকে করব, শুবু মানুম হওয়া চাই। এই বিলটা করে গণতয়বিরোধী কাল করেছেল, মুতরাং আমি এটার তীব প্তিবাদ করি।

The Hon'ble JADABENDRA NATH PANJA: আদকে যে নুতন Municipality গঠপ করা হচেছ, সেই Municipalityর voter এমন ভাবে করতে হবে, বাতে ভাল লোক দিরে এটা পরিচালিত করা যার। আপনারা যদি আইনের ২০ বারা দেখেন তাহনে দেখতে পাবেন voter হতে পারে কারা । যারা Municipal tax বা income tax দেব।

ষারা Municipal tax দেয় না, তাদের মধ্যেও অনেক উপযুক্ত লোক থাকে, যারা ভোট দিতে পারে। বারা Municipalitya tax বা income-tax অথবা agricultural income-tax দের, তারা ছাড়াও যারা general income-tax দের তারা ও ভোট দিতে পারবে। এদের মধ্যে সব সময় competent man পাওরা যায় না। স্নতরাং এই সমন্ত লোকের বাইরেও যদি কোন competent লোক থাকে, তবে Municipalityর কার্যি ভাবে পরিচালিত করবার জন্য তাদের নেওয়া দরকার। পুর্বের ধারা বজার থাকিলে Municipalityর কার্য্য পরিচালনা করা অভ্যন্ত শক্ত হয়ে ওঠে, এবং সেই সব difficulties দুর করবার জন্যই এই Bill এ এই রক্ষ ব্যবহা করা হয়েছে।

The motion of the Hon'ble Jadabendra Nath Panja that the Bengal Municipal (West Bengal Amendment) Bill, 1951, be taken into consideration was then put and a Division taken with the following result:—

#### Ayes-43.

Abduliah, Janab S. M.
Abdus Shokur, Janab
Banérjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das, Sj. Kanaliai
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gemes, Mr. D.
Cupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati

Mai, Sj. Iswar Chandra
Mandai, Sj. Annadaprasad
Mandai, Sj. Bankubehari
Mandai, Sj. Bunkubehari
Mandai, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Moskerji, The Hon'ble Kalipada
Mudassir Hossain, Janab
Muhammad Siddique, Dr. Syed.
Murarka, Sj. Basantiai
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Hem Chandra
Panja, The Hon'ble Jr.
Rajani Kanta
Rahuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'ble Prafulia Chandra
Sen, The Hon'ble Prafulia Chandra
Sen, The Hon'ble Prafulia Chandra
Senajuddin Ahammad, Janab
Shamsul Huq, Janab
Wilks, Mr. G. C. D.
Zaman, Janab A. M. A.

#### Nees-0.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Bose, Srijukta Bibhabati Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra Chatterjee, Sj. Haripada Choudhury, Sj. Annada Presad De, Sj. Kanai Lai Sen, Sj. Debendra Nath

The Aves being 48 and the Noes 9 the motion was carried.

#### Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

## Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

#### Clause 3.

Dr. SURESH CHANDRA BANERJi: I beg to move that clause 3 (a) be omitted.

আমি কেন এইটার অবসান চাই, তা আমি আগেই বলেছি এবং এবনও বলছি এব কোন প্রাোজন নাই। (The Hon'ble Dr. Bidhan Chandra Roy—কেন?) কারণ যত অপকর্ম এই বিনের যারা হবে কিনা। আপনারা ১৯৩২ সাল পর্যান্ত গিরেছেন, আর এই clause amendment করে ১৯৩২ স্থানের পিছনে আপনারা চলে গিরেছেন এবং এতে আপনাদের একটু স্থবিধা হয়েছে যে আপনাদের বাকে ইচছা তাকেই মনোনীত করবার অধিকার পেরেছেন। তাই আমি বলতে চাই আপনার। এটা বিদি delete করেন তাহলে ১৯৩২ সালের আইনে যা ছিল ঠিক তাই হবে। তাই আপনাদের clause 3(a)কে delete করে দিতে বলছি। Dr. Roy একটু শুনলে তাল হয়। (The Hon'ble Dr. Bidhan Chandra Roy আপনার কথা আমি শুনছি।)

১৯৩২ সালের আইনে যা ছিল তা হচেছ বে Bengal Municipal Act 1932 clause 16, proviso (3) that....লাজে কাজেই আপনারা clause 16 (A) এর হারা ১৯৩২ সালের Bengal Municipal Act clause 16 (A) proviso (3) introduced করেছেন। তাতে পাছিছ কি? ১৯৩৭ সালে বে amendment হরেছিল তাকে বাদ দেওরা হরেছে। ১৯৩৬ সালে Muslim League Ministryৰ সমর বে একটা বুব ভাল amendment করা হরেছিল, সেটাও বাদ দিরেছেন। অনেক লোককে please করতে হবে, কাজে কাজেই আবার নুতন করে একটা clause 3 (a) করা হ'ল। Government বাকে ইচছা তাকেই করবেন। স্থতরাং আবি এই clause 3(a) এর পুতিবাদ করছি এবং এইটা delete করবার নাবী করছি।

8j. CHARU CHANDRA BHANDARI: নাননীর ডেপুচা শীকার মহোদয়, এই যে নতন clause খানা হরেছে এর উদ্দেশ্য হচেছ গভপবেণ্ট কোধার Commissioner appoint করতে পারেন? প্রবর হতেছ বেখানে নুজন Municipalityৰ প্ৰতিষ্ঠা হবে। মিতীয় হতেছ গভৰ্ণনেণ্ট যদি কৰ্বনও কোন Municipalityকে supersede করেন। এখন বে amendment করে দিচেছন, তার উদ্দেশ্য হচেছ বেক্তের তারা ন্তন Municipality প্রতিষ্ঠা করবেন, নেক্কেত্রে এখন এমন লোককে করবেও চলবে যার ৰাৰ voters' list থাক বা না থাক। আৰি মনে করি এটা খুব dangerous amendment! (A voice: Only dangerous—जात किए नव) dangerousर वटि। जाशनाता जातन त्य ताजनीतिक नमापनिको कि जिनिष । जुछतार गंछर्नरार्णें हार्ल अन्न अक्को instrument पिरव (एउपा ठिक इरक कि ? Voters' list এ নাম নাই কিছু এমনও ত হতে পাল্পে বন্ধুস ২১ বংসর হয় নাই, কোন স্থানে যথন নতন Municipality করেন। সেধানকার স্থানীয় লোককেই Municipal Commissioner করা উচিত। चात्र चाननाता धवन त्य ध चाहेरनत amendment कत्राहन, Siliguri नहरत नजून Municipality कत्रवात জন্য-ভাতে দাজিনিং থেকে, মুনিদাবাদ থেকে, বীরভূব থেকে, কলকাতা থেকে লোক নিতে পারেন-Commissioner क्यबाद धना। স্তরাং আদি বলছি বে amendmentটা ক্রছেন, তাল করে চিন্তা করে (मर्नून) व्यक्तकः वतनो ठाव २) इतना हारे बदः (मर्बानकात वानिका इतना हारे। नुष्ठन Municipality করছেন শিলিগুড়িতৈ—আর কোধার করছেন কিনা জানি না। দেখানে কি এবন suitable লোক পান দা বার रकान रवात्राजा चारक राज्यात रा tax मिक वा ना मिक किंद छात चाना तका तका रवात्राजा चारक-रावन he must be occupier of some building पर्वार त्यानकात वानिका हत्य प्यया must have some educational qualification। नजुरा त्वरण गःशानविश्वेष्ठाव त्वादव की शाम क्यांव क्रिके क्यारम मा।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I feel there is a great deal of force in what Charu Babu has said. The reason why this amendment was brought forward was this that usually the qualification of a voter for a municipal election is that either he must be paying income-tax or municipal rates. We have found this difficulty when a new municipality is formed in a particular area out of a union board. Then there is nobody who has been paying rates. Therefore he cannot be qualified as a voter unless he pays rates. Therefore our choice is limited to those who pay income-tax. But as Charu Babu has just now said, I have asked my friends to put in a short-notice amendment that he must be a resident for a certain period and must also be of a suitable age so that he may not be a child for being selected as a candidate. That thing has to be corrected and an amendment has to be put in to that effect.

Mr. DEPUTY SPEAKER: In that case clause 3 is held over for the time being.

## Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

#### Clause 5

\$i. CHARU CHANDRA BHANDAR! : शाननीय Deputy Speaker नशानप्र, जानि जानात আৰু একটা amendmentৰ কথা বলুছি। disqualifications জন্য কাৰা Commissioner হতে পাৰে না নে হতেই section ২২। তাতে আছে—general disqualifications for being a Commissioner—विन (कह insolvent इस, यनि तसन এकून ना इस, यनि Municipal व्यक्तिनात इस हैजानि जात नतम add कता शतक जिन मारनद यनि रकान rate वाकी शारक। अनुरूप बंदरे जान। अमन খ্যক্তি যে নাকি ৩ নাৰ municipal tax দেয় না তাকে Municipal Commissioner করা কি ঠিক ? এই ৰুক্তিটা ভূনতে পুৰই ভাল কিন্ত এটাকে বখন কালে apply করা হবে, সে হবে বড়ই dangerous. चौबोब कार्ष्ट् अमन record चारक्-political opponent वरन छात्र वसन ७৫ वहत्र इथ्रमा नरस्थ अवः य चानीव लाक ७ कःरण्य कमिनेव चानीव secretary श्वा यात्व ठात है जाना tax वार्य करत नि Union Board President. তার বাড়ীটা তার বড ভাইরের নামে ব'লে যে বলেছে যে সেধানকার no occupier of any house. (The Hon'ble Rai HABENDRA NATH CHOUDHURY: Union Board र क्था वर्षात (कन ?) union board भात municipality त्र मा किन किन किन पान्त मा। Political opponent হলে তিন মাস পর্যান্ত municipalityতে tax দিতে গেলেও হয়ত: tax নেবে না ञ्चलताः यो add करत लारकत गर्वनाम कत्राह्म राजन १ मृष्टे जामता वनी शराहि श्रामीनलात शराह । जामता य कुछ नौरक नावरू পाति राक्षे चार वर्षान बुरन नाहे बनुनाय। जायात जन्ताथ वह जिनिषको करायन ना। अंको एम्स्ट जान किन्न अके। अक्को नर्र्यतन्त्र विनिध श्रव-अक्को यथन apply कता श्रव। चानि श्रननाम মাননীয় যাদববাৰুকে সূরণ করিয়ে দিচিছ--এটা pass করলে বানরের হাতে খাঁডা দেওয়া হবে। আমি বছ দুটান্ত দেখাতে পারি কিন্তু প্রোজন নেই--যে কোন দিন Commissioner হলেও হতে পারে। তাকে debar ৰুৱা কেন ? আৰি dozens of union boards দেখেছি যেখানে nomination paper নেই--paper नहें करत निरम्रह। त्नवादन decision of the Circle Officer is final. जानि वह लाक--जानाद ক্ষৰতা আছে--Circle Officer আৰাৰ হাতে অতথ্য দেখানে আমাৰ political opponent দীড়াতেই পারবে না। যা আপনারা করছেন সেটা মোটেই wholesome নয় এতে potentiality of danger ৰবেছে। जाननारमत शैष्ठि १८०६ यथारन मत्रकात रायारन कतरवन ना। यथारन जनतकात रायारन कतरवन।

The Hen'ble JADABENDRA NATH PANJA: আৰি আনি অনেক বছর ববে Municipal Commissioner আছেন অবচ তিনি হৈমে দেন না। Tax না দিয়ে তিনি Commissioner আক্ৰেন, আৰ লোকের উপর টাল্ল আলার করতে আক্ৰেন, এটা ঠিক নয়। চাক্ষবাবু কি করে যে এই কথা বন্তেন, আনি বুৰতে পারি না। Local Finance Enquiry করিটা enquiry করার পর বে recommendation করছেন কেই অনুনারেই এটা করছে।

The question that clause 5 do stand part of the Bill was then put and agreed to.

#### Clause 6.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that clause 6(b) be omitted.

I further beg to move that in clause 6(e), in line 2 of the proposed subsection (4), after the word "Magistrate" the words "and if notices of the meeting are not issued within ten days from the date referred to in subsection (1) the meeting may be convened by any three of the Commissioners" be inserted.

প্रथर हिन २১ मिन, अंत्रशंद हरना ၁० पिरनंद गरेश कहरा हरन। अथन बना हरहह, Provided that the State Government তাদের ইচছানত সময় ৰাড়িয়ে দিতে পারেন অর্থাৎ election of the Commissioner "গেজেটে" প্ৰাণিত হবাৰ পৰ যতদিন পৰ্যান্ত গভৰ্ণবেশ্টেৰ মনযতম লোক না পাওয়া যায়, ততদিন পৰ্যান্ত হরিয়ে ফিরিয়ে নানা রক্ষে চেয়ারম্যান নির্বাচন স্থাগিত রা**খতে** পারেন। এতকাল যা চলেছে আতে কোন স্বস্থবিধা হতে দেখা যায় নাই। এখন হঠাৎ **আঁ**দের কি পয়ো<del>জন</del> হল, জানি না, যাতে নাকি thirty daysও not enough. এসৰ তাঁদের ধানখেয়ালি. তাঁরা democracys ধার দিয়েও থেতে চাল না। এই সৰ হচেছ fascist mentality (laughter). আপনারা যা করছেন, তাতে আবার হান্ছেনও? আপনাদের লজ্জা করা উচিত। You should b ashamed of it. Meeting Magistrate ভাকবেন। এখন আমি বলতে চাই যদি Magistrate न ভাকেন ভাষতে এই নোটিশ ৭ দিনের নোটিশ দিয়ে Magistrate meeting ভাকবেন, যদি না করেন then the meeting will be convened by any of the 3 Commissioners. তিন খনকে নিমে Magistrate meeting ভাকতে পারেন, অবশ্য ৩০ দিনের বধ্যে করতে হবে। After publication of the names of the Commissioners in the "Gazette" within one month a meeting for election of the chairman must be convened and the Magistrate will convene the meeting and if the Magistrate does not do it, then any of the three Commissioners may do it. এই হল আমার কথা ৷ It is the most important thing..... এটা नित्य मात्रामात्रि कद्रदवन ना। Dr. Roy will please explain it. अकमान ना दशक ৫ বথাহ করুন। এটা কেন করছেন ?.....এইরকম একটা আইন করার মতলব কি ?.....

The Hon'ble JADABENDRA NATH PANJA: সেইজন্য আমাদের nomination করতে হয়েছে। Nominationএর জন্য ৩০ দিন করা হয়েছে। এটা করার অর্থ হচেছ আমাদের উদ্দেশ্য ছিল যাতে election হয়, এবং এইজন্য এই power নিতে হয়েছে। বীরভূনের District Boardএর ব্যাপারে আমাদের নানা difficulties পুতাক করতে হয়েছে এবং সেই জন্য এই সমস্ত difficulties obviate করার জন্যই আমাদের এই power নিতে হচেছ।

The motion of Dr. Suresh Chandra Banerji that clause 6(b) be omitted, was then put and a Division taken with the following result:—

#### Ayes-8.

Bandyepadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Bose, Srijukta Bivabati Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra Choudhury, Sj. Annada Prosad De, Sj. Kana: Lai Ghose, Sj. Bimai Comar Sen, Sj. Debendra Nath

#### Nocs-42.

Abdullah, Janab S. M. Abdus Shokur, Janab Banerjee, Sj. Sushii Kumar Barman, The Hon'ble Syama Prasad Ehattacharyya, Sj. Shyamapada

Chaudhuri, The Hon'ble Rai Harendra Nath Das, Sj. Radha Nath Das Gupta, Sj. Khagendra Nath Dese, Sj. Kanalini Dutt-Mazumdar, The Hen'ble Niharendu Ganguli, SJ. Bepin Behari Gayen, SJ. Arabinda Golam Hamidur Rahman, Janab Gomes, Mr. D. Gupta, SJ. C. Haidar, SJ. Kuber Chand Kazem Ali Mirza, Janab Shahibzada Kawan Jah Salyid Khuda Bukheh, Janab Md. Mahammad Kased Ali, Janab Mahammad Sayeed Mia, Janab Mahamty, SJ. Charu Chandra Maiti, The Hon'ble Nikunja Behari Majhi, SJ. Nishapati Mai, SJ. Swar Chandra Mandal, SJ. Annadaprasad Mandal, SJ. Bankubehari
Mandal, SJ. Umesh Chandra
Misra, SJ. Sowrindra Mohan
Mookerji, The Hon'ble Kalipada
Murarka, Sj. Basantial
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pentony, Mr. L. R.
Pramanik, SJ. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, SJ. Jajneswar
Roy Sarkar, SJ. Birendra Nath
Roy Singh Sarker, SJ. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Zaman, Janab A. M. A.

The Ayes being 9, and the Noes 42, the motion was lost.

The motion of Dr. Suresh Chandra Banerji that in clause 6(e) in line 2 of the proposed sub-section (4) after the word "Magistrate", the words "and if notices of the meeting are not issued within 10 days from the date referred to in sub-section (1), the meeting may be convened by any three of the Commissioners", be inserted, was then put and lost.

The question that clause 6 do stand part of the Bill was then put and agreed to.

#### Clause 7.

The question that clause 7 do stand part of the Bill was then put and agreed to.

#### Clause 8.

The question that clause 8 do stand part of the Bill was then put and agreed to.

#### Clause 9.

The question that clause 9 do stand part of the Bill was then put and agreed to.

#### Clause 10.

The question that clause 10 do stand part of the Bill was then put and agreed to.

#### Clause 11.

The question that clause 11 do stand part of the Bill was then put and agreed to.

(At this stage the House was adjourned for fifteen minutes.)

## (After adjournment.)

#### Clause 12.

**Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 12(b), in line 1 of the proposed sub-section 1(A) for the word "twenty-five" the word "fifty" be substituted.

न्गीकां बारवारत (चारि क्रम move कडव्या, किंद abi move क्याई !)

এই claused বলা হবেছে বাদের বাড়ীতে sanitary latrine আছে কিছ service privy নাই বা service urinal নাই তাদের conservancy ratedর কথাই ওঠে না। কিছ সরাজে ৫ জনের বাস করতে হলে কিছু কিছু বিতে হয় সেইজন্য আনি বলছি 25 per cent.এর জায়গার 50 per cent. conservancy rebate করা হোক। আনি আলা করি গতেন্দেই আনার এই ন্যায়সকত লাবি বেনে বেবেন। (The Hon'ble Dr. Bidhan Chandra Roy: না পারব না।) আচছা তাহলে বানবেন না।

The Hen'ble JADABENDRA NATH PANJA: বর্তমানে municipalityগুলির financeএর বে condition আৰু কাল, তার উপর তাদের বায় এত বেলী হচেচ বে তাতে 50 per cent. rebate দেয়া বুব কটকর। তাই আপনার এ amendment গ্রহণ করা আমাদের পক্ষে সম্ভব হবে না। I oppose this amendment.

The motion of Dr. Suresh Chandra Banerji that in clause 12(b), in line 1 of the proposed sub-section 1(A) for the word "twenty-five" the word "fifty" be substituted, was then put and lost.

The question that clause 12 do stand part of the Bill was then put and agreed to.

#### Clause 13.

The question that clause 13 do stand part of the Bill was then put and agreed to.

#### Clause 14.

The question that clause 14 do stand part of the Bill was then put and agreed to.

#### Clause 15.

The question that clause 15 do stand part of the Bill was then put and agreed to.

#### Clause 16.

The question that clause 16 do stand part of the Bill was then put and agreed to.

#### Clause 17.

The question that clause 17 do stand part of the Bill was then put and agreed to.

#### Clause 18.

The question that clause 18 do stand part of the Bill was then put and agreed to.

## Clause 19.

The question that clause 19 do stand part of the Bill was then put and agreed to.

#### Clause 3.

Mr. SPEAKER: Clause 3 was held over. We now take up that clause.

**8j. SUSHIL KUMAR BANERJEE:** Sir, I beg to move my short-notice amendment that in clause 3(a), in line 2, for the words "such persons to be Commissioners as it thinks fit", the words "persons who have been resident within the limits of the municipality for at least twelve months immediately preceding the appointment and who are not subject to any of the disqualifications mentioned in section 22 and whom it thinks fit to be Commissioners", be substituted.

Dr. SURESH CHANDRA BANERJI: We are not satisfied.

The Hon'ble Dr. BIDHAN CHANDRA ROY: You mean editorial "we"?

Dr. SURESH CHANDRA BANERJI: Not editorial "we" but party "we". অবণ্য আমবা যে আপত্তি করেছি গে আপত্তির যৌক্তিকতা গতর্গমেণ্ট খানিকটা খেনেছেন, মেনে একটু শংশোধনও করেছেন। কি করেছেন। ক করেছেন এই,—আগে ছিল যাকে ইচছা হোক তাকে যেখানে থেকে ইচছা গেখানে থেকে এনে নতুন municipalityর কমিশনার করতে পারেন এখন তার সাঁলে এই qualification add করছেন, যে মিইনিসিপালিটিতে nominated হবে সেখানে গত একবংসর তার বসবাস করা দরকার। Section 22র যে disqualificationটাও তার না থাকা দরকার। আর গতর্পবেণ্ট যাকে fit মনে করবেন, সেই হতে পারবে। Disqualification সম্বন্ধ যা বলেছেন সেটা মানতে রান্ধি, কিছ resident হলেই হবে এটা মানতে রান্ধি নই।

The Hon'ble JADABENDRA NATH PANJA: সৰ ক্ষেত্ৰেই এটা পুনোজ্য হবে না। তারপরে adult franchise বাঁরা চান তাঁরা এটা কি করে বলেন বুঝতে পারি না। এবন যা হলো তাতেঁ অন্য কোন রকম qualification থাকৰে না এটা চলতে পারে না। আমি এই amendmentটা support করিছি।

The short-notice amendment motion of Sj. Sushil Kumar Banerjee that in clause 3(a), in line 2, for the words "such persons to be Commissioners as it thinks fit", the words, "persons who have been resident within the limits of the municipality for at least twelve months immediately preceding the appointment and who are not subject to any of the disqualifications mentioned in section 22 and whom it thinks fit to be Commissioners', be substituted, was put and a Division taken with the following result:—

#### Ayes-44.

Abduliah, Janab S. M.
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanailai
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khuda Bukhah, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati

Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Malilick, Sj. Ashutosh
Mandal, Sj. Anhutosh
Mandal, Sj. Bankubehari
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan.
Mockerli, The Hon'ble Kalipada
Murarka, Sj. Basantial
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Péntony, Mr. L. R.
Platel, Mr. R. E.
Pramanik, Sj. Rajani Kanta
Rafuddin Ahmed, The Hon'ble Dr.
Ricketts, Mrs. E. M.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarker, Sj. Birendra Nath.
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Sen, The Hon'ble Prafulla Chandra

Noes-7.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Sen, Sj. Debendra Nath

The Ayes being 44 and the Noes 7 the motion was carried.

The motion of Dr. Suresh Chandra Banerji that clause 3(a) be omitted was then put and lost.

The question that clause 3 as amended do stand part of this Bill was then put and agreed to.

#### Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble JADABENQRA NATH PANJA: I beg to move that the Bengal Municipal (West Bengal Amendment) Bill, 1951, as settled in the Assembly, be passed.

Si. CHARU CHANDRA BHANDARI: माननीय श्लीकात, गारात, এই विनक्षेत्र व अटक्वाटक কোন পরোজন নাই একথা আমি বরুতে চাই না। কিন্তু এই বিলের মধ্যে এমন দুয়েকটি ব্যবস্থা করা হয়েছে যার potentiality অত্যন্ত dangerous, আমি পূর্বে একটা বিষয়ে এই Houseds attention draw ্ করেছি। এবং আরো একটা বিবরে আছকে করব। সেটা হচেছ এই যে, section 45এ যে amendment करब्राक्टन এवः sub-section 14 Provisod वा करब्राक्टन माननीय मद्दी बदानय या लिबरव्राह्म clause 64 যেখানে বলা হয়েছে provided that the State Government may extend the period of 30 duys by such period as it thinks fit. এটা আমি ৰুঝি যে, অনেক সময় ৩০ দিনের মধ্যে ক্ষিণনার election হবার পর, তাঁদের নাম published হবার পর, Chairman নির্বাচন করার পঞ্ অনেক বাধা হতে পারে এবং যদি কোন কারণে নির্বাচনে বাধা হয় তখন Governmentএর পক্ষে Chairman nominate করা বা appoint করা বাতীত কোন গতান্তর পাকবে না। এবং undemocratically কাজ করতে বাধ্য হবেন। এখন জিনিঘটা হচেছ এই যে, এই proviso আইনের ভাষায় এমন হওয়া চাই যে, Government প্রোজনের অতিরিক্ত কিছু না করতে পারেন, অর্থাৎ আজকে যদি এমন হর যে, কোন কমিশনারের নাম publish হবার পর সংশিষ্ট কোন একটা মামলা হয় এবং তহিময়ে High Courtএর কোন injunction আলে তবে Government against its will সেই কাজ করতে বাব্য হবেন। এটা আমি ৰুঝি। সেই জানগান যদি এইরকম একটা proviso না থাকে তবে অস্কবিধা হয়। কিন্তু, দেখন, যেতাৰে এই provison কথা এখানে আছে this veto এখানে provided that the State Government may extend the period of 30 days for such period as it thinks fit. এটা বভি ৰত সাংঘাতিক কথা। কিছুদিন আগে হাওড়া বিউনিসিপ্যানিটির চেয়ারম্যান নির্বাচন হয়ে গেল। 1~
m am~notimputing any motive to the Government. Governmentএর ক্ষমতা ছিল এই ∞ पितनत मत्या ना करत हुल करत वरण थाका as it thinks fit, अखना त्कान कात्र प्रथाएं हरन मा in writing. একটু চিন্তা করে দেখুন, ভাষা যদি এত general হয় তবে সেখানে কোন কারণ না দেখালেও চলে। আপনারা তো আজ আছেন কাল নাই। আইনের ভাষা পরিকার হওয়া দরকার। Government हैक्का कदाल त्य त्कान त्कटब ৩০ मितनत नत्या ना क'रत ७ मारमत नत्या कतरण भारतन, it may extend for 6 months. অতএৰ বিনটা এইনকমভাবে defective রাখা ঠিক নম। সেইজন্যই আমি বলছিলাম এই বিলটার সামান্য একটা clauseds potentiality কত বেশী। আমি এই বল্ছি এমনভাবে কিছু कन्नदन ना यां लाटक वनए शांद Government क् छेष्मना निष्म धेर जनकारी करतरह।

The Hon'ble JADABENDRA NATH PANJA: বাননীয় ন্দীকাৰ স্যাৰ, এই বিলের সহছে আনেক কিছু বলা হয়েছে। পূর্বে স্বায়ন্ত্রনাসন্দুলক পুতিষ্ঠানের উপর courtএর কোন control ছিল না এবং সেইবক্ষ আইনের কোন ব্যবস্থাও ছিল না; সেইজন্যই এই বিল আনা হয়েছে। তাহলেও এই বিলের আসল উদ্দেশ্য হচেছ্ যাতে nomination না ক'রে election মারকতেই এই সব পুতিষ্ঠান চল্তে পারে। বিশি ক্ষনও নির্বাচনজনিত কোনরূপ difficulty দেখা দের সেইজন্যই এই বিল এই Houseএর সামনে আলা হরেছে। সেই সব difficulty meet করাই এই বিলের উদ্দেশ্য। এই ব'লেই আনি শেক ক্ষছি।

The motion of the Hon'ble Jadabendra Nath Panja that the Bengal Municipal (West Bengal Amendment) Bill, 1951, as settled in the Assembly, be passed was then put and a division taken, with the following result:—

Ayes 41.

Abduliah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushii Kumar
Barman, The Hon'bie Syama Prasad
Bhattaeharyya, Sj. Shyamapada
Chaudhuri, The Hon'bie Rai Harendra
Nath
Das, Sj. Radha Nath
Das, Sj. Kanaliai
Dutt-Mazumdar, The Hon'bie Niharendu
Ganguli, Sj. Bepin Behari.
Cayen, Sj. Kanaliai
Cupta, Sj. Kanaliai
Cupta, Sj. Sapin Behari.
Cayen, Sj. Arabinda
Belam Hamidur Rahman, Janab
Gupta, Sj. J. C.
Naidar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab
Mahamnad Sayeed Mia, Janab

Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Mai, Sj. iswar Chandra
Mailick, Sj. Ashutosh
Mandai, Sj. Ashutosh
Mandai, Sj. Bankubehari.
Nisra, Sj. Sawrindra Mehan.
Mookerfi, The Hon'ble Kalipada
Murarka, Sj. Basantalai
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Psntony, Mr. L. R.
Piatel, Mr. R. E.
Pramanik, Sj., Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Sen, The Hon'ble Prafulla Chandra
Shamsul Hug, Janab
Zaman, Janab A. M. A.

#### Noes-6.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Surech Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra De, Sj. Kanai Lai Sen, Sj. Debendra Nath

The Aves being 41 and the Noes 6, the motion was carried.

The University of Calcutta (Matriculation Examination) Bill, 1951.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, Sir, I beg to introduce the University of Calcutta (Matriculation Examination) Bill, 1951.

(The Secretary then read the short title of the Bill.)

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that the University of Calcutta (Matriculation Examination) Bill, 1951, be taken into consideration.

Sir, the Bill proposes to enact a new measure. The fact is that when the Calcutta University Act, 1951, was passed, the Board of Secondary Education did not come into existence. The Board has subsequently been duly constituted and the regulation, control and development of secondary education in West Bengal now devolves on the Secondary Education Board. The Board has decided to hold the School Final Examination with effect from the year 1952. It is now necessary to provide that the Matriculation Examination should no longer be held by the Calcutta University and that the School Final Examination to be held by the Board shall be deemed to be the qualifying examination for admission to the University of Calcutta. The proposed Bill seeks to provide for the same.

The motion was then put and agreed to.

#### Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

#### Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

## Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

## Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Rai HARENDRA NATH CHAUDHUR: Sir, I beg to move that the University of Calcutta (Matriculation Examination) Bill, 1951, as settled in the Assembly, be passed.

The motion was then put and agreed to.

# The Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1951.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1951.

(The Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1951, be taken into consideration.

Sir, the reason for bringing in this Bill is that the work has gone on increasing and we need to appoint an Additional Commissioner of Commercial Taxes to assist the Commissioner, particularly in hearing the appellate and revision petitions.

8j. DEBENDRA NATH SEN: Sir, I beg to move that the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 31st December, 1951.

Sir, I am opposed to this Bill and for three reasons. Firstly, this is unnecessary. Secondly, its object is to secure power for the Government to appoint a person who has already been decided upon for appointment. Thirdly, this Bill makes no reference to the Ordinance known as the Bengal Finance (Sales Tax) (West Bengal Amendment) Ordinance, 1951, which will expire soon and the Bill does not aim at incorporating that Ordinance into an Act. These are my three reasons and I shall take them up one by one.

Sir, I said that the Bill is unnecessary. If there has been an increase in the volume of work and if additional staff is necessary, under the Act now existing the Government has got sufficient powers for the purpose. I read clause 3 of the existing Act which says that for carrying out the purpose of this Act, the Provincial Government may appoint a person to be Commissioner of Commercial Taxes together with such other persons to assist him as it thinks fit. So, if there has been an increase in the volume of work necessitating an increase in the staff, the existing Act gives 'he Government sufficient power and the Government could have utilised that section for the purpose. Therefore, it is unnecessary. There is another point why it is unnecessary. The present Commissioner of Sales Tax has got dual functions—he is both the Commissioner of Sales Tax as well as Commissioner of Agricultural Income-Tax. If there has been pressure of additional work, then the latter function could have been taken away from

him and some other person could have been appointed to act as the Commissioner of Agricultural Income-tax. Both these functions could have been divided. Then there might have been some sense in it and we might have appreciated it. But as it now stands, there is no point in coming before us and asking us for a new post to be created for which we have to pay a much higher salary and which is not necessary.

I will now come to the second point to which I made a reference before. A person has already been decided upon and in order to create a post for him this Bill has been brought in. I can give the name, but I do not like to give the name as, Mr. Speaker, you do not want it. It is something unique in the history of legislation of the whole world that in order to provide a person, a certain Bill, is brought in and the legislature is asked to give ditto to it.

I will now come to my next point. Sir, during the last budget session we had occasion to refer to the corruption that exists in the Sales Tax Department. I do not admit, as has been stated in the Statement of Objects and Reasons, that there has been all-round progress. We have not been told what progress has taken place—rather we had occasion to place before the House during the last budget session that there has been allround deterioration, that there has been corruption and that the honest officer who detected an evasion of sales tax by a big firm could not stay there, was suspended and is still under suspension and that all these things were done by the authorities in charge of this department. So, we do not know that there has been all-round progress-we have not been given any hint of it. We do not know whether there has been any increase in the volume of work or not-we do not know the number of petitions pending, we do not know the number of appeals pending, we do not know what number has been disposed of and what number has not been disposed of. None of these facts have been placed before us. Therefore, we do not admit that there has been all-round progress or that there has been an increase in the volume of work.

Sir, I will now deal with my last point. There was an Ordinance because of the point of view we placed before this Assembly that there has been a large-scale evasion of sales tax by some big industrialist, big firmsthe names were mentioned, everybody knows it-by the Birlas and we demanded a Tribunal. We now know that an Ordinance was promulgated appointing a Tribunal, but we do not know whether the cases belonging to the Birlas have been referred to that Tribunal and if they have been referred to the Tribunal, what particular cases have been referred. We mentioned three cases—we mentioned evasion of tax with regard to the Kesoram Cotton Mills, we mentioned evasion of tax with regard to the Orient Paper Mills and we mentioned evasion of tax with regard to the Hindusthan Motor Construction Co. We would like to know whether all these three cases have been referred to the Tribunal and, if so, what are the terms of reference because, as I remember, on that occasion our main point was that these firms should be asked to supply their manufacturing accounts. They should give us particulars as to how much cotton they purchased and out of that cotton how much yarn they produced and out of that yarn how much cloth they produced because we do not still know the quantity of cloth they actually produced; they do not show in their record of sale the full quantity of cloth and thus they avoid sales tax. That is why we demanded that all these facts and figures should be placed before a Tribunal. I do not know the terms of the Tribunal. This should be made clear to us before the Hon'ble the Chief Minister comes before this Assembly for our approval for such a Bill. We find from the Statement of Objects and Reasons that there has been an all round progress in the Commercial Taxes Directorate. We do not know at what stage the cases of Birlas now stand before the Tribunal. We have apprehension because this ordinance was promulgated in June and it will expire in December. There has been a tribunal but the purpose of the tribunal will not be served because this ordinance is not being incorporated in the Act. Therefore I oppose this Bill and I do so with all the emphasis at my command.

Janab MOHAMAD KHUDA BUKHSH: Sir, in a manner of speaking I am helping my friend to achieve his objective which he has in his mind while speaking on this Bill. Perhaps he wants to detain the House over this Bill till it was 7 o clock, because the other Bills he may like to speak on may be brought when the Assembly next meets. But he should have kept his breath for future speaking, because if he had read the Bill fully he would have understood that here the purpose of the Bill is not to provide a job for a particular person. He ought to know that in a Government Department a man is generally promoted and perhaps the Additional Commissioner is already there working in another capacity and he will be promoted to the rank of the Additional Commissioner. We find in the Statement of Objects and Reasons that the work in this Directorate has increased and the work requires another Commissioner to perform properly the functions that have been delegated to the present Commissioner. He has spoken of evasion of taxes and that is all the more reason why Government should take another competent officer in the department so that he can cope with the evasion of taxes, etc. Here the purpose of the Bill is that an officer should be empowered with certain functions which have been delegated expressly to the Commissioner and because the Commissioner cannot cope with the revision petitions, etc., that are brought before him he should have the assistance of another Commissioner. If he thinks that taxes are being evaded and the work should be speeded up, he should congratulate the Government for bringing this Bill for, the object of the Bill is to speed up the work with the assistance of another competent Commissioner.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, my friend never opens his mouth except to throw dirt and to show doubts. In the first place, he says "Why should you not appoint a person as provided for in section 3 of the Act a person working under the Commissioner"? But, Sir, we want a person who should be almost of the same rank as the Commissioner and so we have asked for an Additional Commissioner. He then says "It is to provide job for a particular person." Sir, I remain in the Secretariat from 8-30 in the morning to 8-30 in the evening still I have no such idea, but he seems to know more about the Secretariat than any of Additional Commissioner will be made by the Public Service Commission as is usual in such cases. It is absolutely incorrect to say that the post has been created for a particular person. I have no person in view. It is absolutely incorrect and untrue to say that (Sj. Debendra Nath Sen: I know the name of the person). You may know it but I do not want to know it from you. I can only say that he has told a bare untruth by saying that this post has been created for a particular person.

Now, Sir, I am very glad to say that he has raised the question of evasion of sales tax. As members are aware we have appointed a court presided over by a Judge of the High Court and they have found how the leakage had occurred. The other is a tribunal. I will first of all take the case of the judgment of the High Court Judge who presided over the first case and his finding is that Mr. N. C. Roy was responsible for the leakage that took place which is absolutely wrong on the part of any officer of the Government to do. (Interruptions by Sj. Debendra Nath Sen). Sir, I never interrupted the member while he was speaking and so let him not interrupt

me. Now, Sir, Mr. Roy was responsible for the leakage and the Judge has recommended that the Government should call upon Mr. Roy to show cause why he should not be dismissed. At the present moment he has been given a charge-sheet which he has not yet replied to. The other question is about the evasion of sales tax. The matter is being investigated by a Tribunal consisting of a High Court Judge, an ex-Member of the Incometax Commission and an Accountant and I have received their preliminary report. I was only thinking as to how to put it before the House but now that Mr. Sen has raised it, I am getting the report printed and I shall circulate it next week. The Tribunal has gone into the whole matter—the Orient Paper Mills, Kesoram Cotton Mills. The Tribunal is expected to submit their report to me by the end of next week before the Assembly prorogues. Therefore it is not a question of the ordinance being enacted into law. I again say that the Tribnal will finish their work before the Assembly breaks up and I shall have the pleasure and opportunity of placing the judgment of this Tribunal before the members of the House which will give the lie direct to every charge that has been made either against the Sales Tax Commissioner or the Assistant Commissioner (Sj. Debendra Nath Sen: How do you know that?) Because I have got the report.

The motion of Sj. Debendra Nath Sen that the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 31st December 1951, was then put and lost.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the Bengal Finance (Sales Tax) (West Bengal Amendment), 1951, be taken into consideration, was then put and agreed to.

#### Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

## Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

#### Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill, 1951, as settled in the Assembly be passed.

The motion was then put and a Division taken with the following result:—

#### Ayes-38.

Abduliah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sl. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattaoharyya, Sl. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sl. Radha Nath
Dass, Sl. Kahasendra Nath
Dass, Sl. Kanailai
Dutt-Mazumdar, The Hon'ble Niharendu
Camguli, Sl. Bepin Behari.
Gayen, Sl. Arabinda

Golam Hamidur Rahman, Janab Gupta, SJ. J. C. Haldar, SJ. Kuber Chand Kazem Ali Mirza, Janab Shahibzada Kawan Jah Salyid Khuda Bukhsh, Janab Md. Mahammad Kased Ali, Janab Mahanty, SJ. Charu Chandra Maiti, The Hon'ble Nikunja Behari Majni, SJ. Nishapati Maj, SJ. Nishapati Maj, SJ. Iswar Chandra Mailiek, SJ. Iswar Chandra Mandai, Sj. Annadaprasad Mandai, Sj. Bankubehari Mookerji, The Hon'ble Kalipada Murarka, Sj. Basantalai Naskar, The Hon'ble Hem Chandra Panja, The Hon'ble Jadabendra Nath Rafiuddin Ahmed, The Hon'ble Dr. Roy, The Hon'ble Dr. Bidhan Chandra Roy, Sj. Jajneswar Roy Sarker, Sj. Birendra Nath. Roy Singh Sarker, Sj. Satish Chandra Sen, The Hon'ble Prafulla Chandra Shamsul Huq, Janab Zaman, Janab A. M. A.

#### Noes-6.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra De, Sj. Kanai Lai Sen, Sj. Debendra Nath

Ayes being 38, and Noes 6, the motion was carried.

## Adjournment.

The House was then adjourned at 7 p.m. till 3 p.m. on Monday, the 24th September, 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, t. 24th September, 1951, at 3 p.m.

## Present :

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 10 Hon'b Ministers and 59 members.

## STARRED QUESTIONS

(to which oral answers were given)

"পশ্চিমবঙ্গের স্বাধীনতার চতুর্থ বার্মিকী"

- •16. 8J. KANAI LAL DE: Will the Hon'ble Minister in charge of the Home Department be pleased to state—
  - (ক) "পশ্চিমবঙ্গের স্বাধীনতার চতুর্গ বাধিক)" নামক কোন পুস্তিকা সরকারের দারা প্রকাশিত হইয়াছে কি না; এবং
  - (খ) হইয়া পাকিলে---
    - (১) কত কপি ছাপা হইয়াছে,
    - (২) ছাপাইতে কত টাকা ব্যয় হইয়াছে, এবং
    - (৩) এই পুস্তিকার মুদ্রণ ও প্রচাবেরাবা পশ্চিমবঙ্গের জনসাধাবণের অবস্থাব কোন প্রকার উল্লিভি বা পরিবর্তন হইয়াছে কি না গ

MINISTER in charge of the HOME DEPARTMENT (the Hon'b Dr. Bidhan Chandra Roy): (ক) হা।

- (খ) (১) ২,০০০ কপি I
- (2) GOOZNUG 918 1
- (৩) সরকার তাঁহাদের বিভিন্ন বিভাগের বাৎসরিক কার্যাবলী জনসাধারণের গোচরীভূত কর কড'বা বলিরা বিবেচনা করেন এবং ভতুদেশ্রে এই পৃত্তিকাথানি প্রচার করিরাছেন। এ পৃত্তিকাঃ বিবরণী পাঠ করিরা সরকারের বিভিন্ন জনহিতকর অফুটানগুলির সাহায্য লওরা জনসাধারণে পক্ষে স্বিধাজনক হইবে। কিছু পৃত্তিকা-প্রচারের মাত্র এক মাদের মধ্যে এই পৃত্তিকার ফলাফ্রুল-প্রিক করা অসন্তব।
- SJ. KANAI LAL DE: অতিরিক্ত পুণু স্যার; পুণুের উত্তরে যে বলেছেন বে, "এই পুতিকার বিবরণ পাঠ করিবা সরকারের বিভিন্ন অনহিতকক্ষ অনুষ্ঠানগুলির সাহায্য লওয়া জনসাধারণের পক্ষে স্থবিধাজনক হইবে",— বাননীর ব্যাহার্যার কি অবগত আছেন যে তাঁরা যে পুতিক। পুচার করিয়াছেন তাহাতে এবন কিছু deta দেওরা নাই, কেবল ব্যাহার্যাদের পুচারকার্যা করা ছাড়া আর কিছুই নয়। অতএব জনসাধারণ যাতে deta জানতে পারে তার সূথিব। করবেন কি ?

The Hon'ble Dr. BIDMAN CHANDRA ROY: This is a matter of opinion.
वह बनी विष्ठु जानाव बन्ताव नारे।

sj. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if it is a priced publication or all copies are distributed free?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Yes, as far as I know.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state as to the classes or types of persons to whom these copies are sent?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Usually to all members of public bodies, Assembly, Parliament, different Governments, and so on, that is, those who are interested in the development of this Province.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if this publication is brought to the notice of the ordinary public?

The Hon'ble Dr. BIDHAN GHANDRA ROY: I do not understand the question.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if the persons to whom this book is issued are the persons belonging to the masses so that the masses can come to know of the Government activities.

The Hon'ble Dr. BIDHAN CHANDRA ROY: We propose to bring out a Bengali edition which will be distributed to the masses.

## Cancellation of licences of rice-husking mills

- •17. 8j. BEPIN BIHARI GANGULI: Will the Hon'ble Minister in charge of the Food Department be pleased to state—
  - (a) whether licences of rice-husking mills have been withdrawn;
  - (b) whether in suit No. 113 of 1951 the Hon'ble High Court decided in favour of the owners of the mills;
  - (c) if so, the step which the Government contemplate to take up with regard to the issue of licences to the mill owners;
  - (d) whether Government are in a position to renew those licences in near future;
  - (e) whether price of rice has gone up by Rs.2-8 to Rs.3 immediately after the mills were closed;
  - (f) whether husking mills within Arambagh subdivision were permitted to husk up to 31st December, 1950, and those of Burdwan up to 14th December, 1950;
  - (g) if so, the reason for such differential treatment;
  - (h) whether the owners of such husking mills have been thrown out of employment since the closing of those mills; and
  - (i) if so, what steps Government contemplate to compensate these husking units and to arrange for the livelihood of those unemployed persons?

MINISTER in charge of the FOOD DEPARTMENT (the Hon'ble Prafulla Ghandra Sen): (a) No.

- (b) Yes, but the question of granting fresh permit or licence in favour of the petitioner was left open.
- (c) and (d) Instructions have already been issued in March last to the Assistant Regional Controllers of Procurement for renewal of licences in accordance with the provisions of the West Bengal Rice Mills Control Order.
- (e) No. The price statements do not indicate that there was a rise in the price of rice after the order of cancellation of ficences of the rice-husking mills was given effect to.
  - (f) Yes.
- (g) It was provisionally decided to cancel licences of the husking machines with effect from 15th December, 1950, and Assistant Regional Controllers of Procurement were informed that formal Government orders in this regard were going to be issued shortly. On receipt of this information Assistant Regional Controller of Procurement, Burdwan, stopped issue of permits for husking paddy in the husking machines, while Assistant Regional Controller of Procurement, Arambagh, continued to issue permits pending receipt of the formal order.
  - (h) and (i) Do not arise in view of the reply to items (c) and (d) above.
- **SJ. BIMAL COMAR CHOSE:** Will the Hon'ble Minister be pleased to state the reasons why these licences were cancelled.

The Hon'ble PRAFULLA CHANDRA SEN: It is the general policy of the Government not to encourage these paddy husking machines.

8j. DEBENDRA NATH SEN: With regard to reply (a) will the Hon'ble Minister be pleased to state whether the licences were withdrawn or cancelled, because the first reply is "No" but in the body of the reply he has frequently made mention that such orders for withdrawing or cancelling the order have been issued, and we are confused.

The Hon'ble PRAFULLA CHANDRA SEN: The honourable member will find in answer (d) the question of granting fresh permits.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state as to what is his reply to question No. (a) where it has been stated "whether the licences of rice husking mills have been withdrawn"?

The Hon'ble PRAFULLA CHANDRA SEN: That means the existing licences.

8]. BIMAL COMAR CHOSE: With regard to answer (g) where it is found that the two different Assistant Controllers of Procurement acted differently, will the Hon'ble Minister be pleased to state as to which one is correct?

The Horbie PRAFULLA CHANDRA SEN: As has been stated clearly here, there was a conference of the Assistant Regional Controllers of Procurement in which it was informally decided not to renew the old licences but to allow fresh licences from a certain date and a formal order reached different places at different times.

Sj. ANNADA PROSAD CHOUDHURY: মাননীয় মন্ত্ৰী মহাপাৰ অবগত আছেন কি বে ৰদিও নুতন licence দেওমা নিমিছ আছে কিছ নুতন নুতন paddy husking machine ৰসান হচেছ?

The Hon'ble PRAFULLA CHANDRA SEN: হা, নুতন মুক্তন machine বসাংগ পাৰে ভাৰজন্য এখন আৰম্ভা কোন licence পিচিছ না। কাৰণ খানাপের হাতে এখন কোন খাইন নাই বাছে এই নুতন machine বসান বছ করতে পারি।

8j. ANNADA PROSAD CHOUDHURY: এই খবৰা বলি তালের জালা থাকে ভারবে একদল লোক নুতন নুতন husking machine এলে বনাতে থাকৰে; তালের permit থাকৰে এবং লেই সরত বয়পাতি বিক্রয় হতে থাকৰে ঋথচ তালের licence পেওয়া হবে না, এটা কি উচিত হবে?

The Hen'ble PRAFULLA CHANDRA SEN: এটা ধুব ভাল কথা। আৰি সদস্য নহাপেরের সলে একমত। আবরা বহু পূর্বেই এর পুতি ভারত গভর্গবেপ্টের গৃষ্ট আকর্ষণ করেছি।

#### Questions in Order Book.

- sj. BIMAL GOMAR GHOSE: Sir, you will remember that last time I referred to the Order Book and we have received one today, but, as you will see, there is no mention of questions in the Order Book at all and also today we had two questions again, Sir, and it is only 10 minutes that we have covered. Can anything be done about it?
- Mr. SPEAKER: I understand that the answers received to the questions which we have received are mentioned in this Order Book. We have not got any other answers to be put. As soon as we receive other answers, we shall put them.
- 8j. BIMAL COMAR CHOSE: It does not really serve the purpose for which this was introduced—it is not serving that purpose.
- Mr. SPEAKER: It is simply to give you information that the questions and answers will be circulated and these are the questions and answers which are in stock with us. This is simply to give you a further opportunity to be prepared for the questions.
- 8j. BIMAL COMAR CHOSE: It is just what it does not do. It does not say what answers are coming and so we cannot get prepared. This system we had beforehand. This is no improvement because all that we should know about the business of the Assembly we do not know from this Order Book.
- Mr. SPEAKER: The purpose of this Order Book is simply to give you information. Of course, it is not mentioned therein that these are the only answers which we have in stock and we have no further answers, but you should take it that the questions and answers which we have received are mentioned there. As soon as we received further questions and answers, we will be able to mentione them.
- 8j. BIMAL COMAR CHOSE: That is only for today, but for Tuesday there is nothing.

Mr. SPEAKER: Yes, that is all the stock at present.

#### Point of privilege.

Sj. DEBENDRA NATH SEN: On a point of privilege, Sir. I would like to draw your attention to Article 320 sub-clause (5) of the Indian Constitution where it is laid down that all regulations with regard to the Public Service Commission shall be placed, as soon as possible after they are made, before the legislature and shall be subject to such modifications ........ You will remember that during the budget session while we were discussing the Public Service Commission, the Hon'ble Chief Minister made a promise that these regulations would be placed before this Assembly for our ratification. I think we have been deprived of a privilege that has been given to us by the Indian Constitution and I seek redress through you, Sir.

- Mr. SPEAKER: Clause 320 says that all regulations are to be place before the House as soon as possible after they are made. We have not gowhat regulations have already been made and which have not been place before this House.
- 8j. DEBENDRA NATH SEN: Certain Public Service Commission regulations have been made even in the year 1950 and there are many white were made before. All these regulations are to be placed under the network Constitution before this Assembly for ratification and our approval.
- Mr. SPEAKER: So far as this is concerned, it is the duty of the Government to comply with Article 320. We have drawn the attention of the Government to this fact. You should specify to me which are the regulations which have been made.
- **8J. DEBENDRA NATH SEN:** Not a single regulation has been place before us—there are so many regulations and some were made in the yea 1950 and the Hon'ble Chief Minister made a promise during the budge session that they would be placed before us.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have never made  $\operatorname{suc}$  a promise.

8j. DEBENDRA NATH SEN: This will be found in the proceeding of the Assembly.

The Hon'ble Dr. BIDHAN CHANDRA ROY: All I said was that the new regulations that came in after the Constitution was passed would be placed in due course before the Assembly.

### COVERNMENT BILL.

The West Bengal Security (Amendment) Bill, 1951.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, 1 beg to introduc the West Bengal Security (Amendment) Bill, 1951.

(The Secretary then read the short-title of the Bill.)

**8j. BIMAL COMAR CHOSE:** On a point of order, Sir. I would refer you to rule 62.

Mr. SPEAKER: Point of order at the introduction stage?

8j. BIMAL COMAR CHOSE: I am raising it at this point for reason which I shall explain now.

Rule 62 says: "Any member who wishes to move an amendment to any Bill under the consideration of the Assembly shall give notice thereof, a least ten days before the first day on which the Bill is to be taken into consideration by the Assembly and shall, together with the notice, send a copy of the amendment which he desires to move." Now, Sir, the last date for submission of amendments was the 17th September and 10 days from that would be the 26th September. Now, what I say is this that I am not within my rights, I know, in opposing at the consideration stage of the Bill, but why I raise it now is this that you cannot allow any amendments to be moved to the Bill today—not until 10 days have elapsed—because there is no provision which gives you any discretion in the matter. Rule 63 says: "On an oral request made by a member at a meeting of the Assembly, the Speaker, in his discretion, may admit an amendment to a Bill——." But so far as rule 62 is concerned, there is no discretion that

is given to you. We may, if you so like, finish the consideration stage, but at least 10 days' notice has to be given and I submit as the last date was 17th, 10 days have not elapsed and, therefore, under the rules no amendment can be moved today to the Security Act. Therefore, it is for you to decide as to whether you will take up only the consideration stage and not permit any amendment to be moved today.

- Mr. SPEAKER: I have seen this Article 62. This means that members should give at least 10 days' notice. It does not prevent us from admitting any amendment received at shorter notice in the office.
- 8j. BIMAL COMAR CHOSE: The language is clear that the member must give at least 10 days' notice. If it said "at most", I would have accepted your interpretation, but the language is "at least". Where is the discretion on your part?
- Mr. SPEAKER: This is a privilege which restricts the right of a member that if it comes at least 10 days before, we must admit it. We have done it—it does not prevent us from admitting it.
  - Si. BIMAL COMAR CHOSE: Where is the rule? The rule says-
  - Mr. SPEAKER: This is the interpretation of the rule.
- 8j. BIMAL COMAR CHOSE: The member shall give notice thereto at least 10 days before the first day on which the Bill is taken into consideration by the Assembly and it does not raise the question of your admittance at shorter notice. Nowhere is it laid down that without notice being given by a member at least 10 days before, the Bill shall be taken up for consideration. That is the point at issue and unless that is decided, the question as to whether you can admit it is entirely a different matter.
- Mr. SPEAKER: I have read the clause again and I feel that these 10 days are required for the member to give notice. If he gives notice of a shorter duration, we may not admit that notice, but it does not prevent us from admitting that particular amendment to be brought before the House.
- 8j. BIMAL COMAR CHOSE: There is no question of admittance in so far as this rule is concerned. It is a question as to whether a member's amendment would be in order—I submit this is absolutely clear. Otherwise, I can send an amendment at any time and you will be bound to accept it. Where is it for you to admit or not to admit? It is clearly laid down that a member who wishes to move an amendment must give at least 10 days' time before it is taken up for consideration. That is the only point at issue. The question is whether a member has given ten days' notice before the date on which the Bill was taken up for consideration. Sir, show me such a provision where it gives you discretion to override that.
- Mr. SPEAKER: We have always admitted short-notice amendments in this House.
- 8]. BIMAL COMAR CHOSE: I have not said against that, Sir. If any member wants your permission for moving a short notice amendment, certainly, it is your discretion to permit that or not. But those members who have not sent any notices, they have not asked for any permission to move those amendments at short notice. So that question does not arise. If they do not ask for permission—

The Hon'ble Dr. BIDHAN CHANDRA ROY: They will ask.

- 8j. BIMAL COMAR GHOSE: Whether they ask or not is the members' pleasure. But if they do not ask, I shall stand up and oppose, on the ground of this rule, allowing those members to move their amendments.
- Mr. SPEAKER: I do not think I have anything further to add. 1 still feel that this is a restriction over the members' right to give notice of amendments, and it does not prevent the amendment from being considered by the House if the House so desires it.
- 8]. BIMAL COMAR GHOSE: I must submit that this rule does not make any sense. If there is no discretion left anywhere, what is the sense of having this rule?
- Mr. SPEAKER: I do not think that I should add anything further so far as the point of order is concerned.
- 8j. BIMAL COMAR CHOSE: Sir, I will raise that point again when members move their amendments and you may rule that out of order.

Mr. SPEAKER: All right.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Security (Amendment) Bill, 1951, be taken into consideration.

Sir, the object of this amendment is mainly to alter certain provisions of the West Bengal Security Act, 1950, in the light of the requirements of the Constitution and to facilitate the issue of permits in places declared protected under section 6 of the said Act.

Sir, the definition of the words "prejudicial report" as it stands today in clause 4 of section 2 of the West Bengal Security Act, 1950, has been changed in order to give effect to the altered language of the Constitution. As members are aware, Article 19(2) of the Constitution has been changed in the following language—"Nothing in sub-clause (a) of clause 1 shall affect the operation of an existing law or prevent the State from making any law in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interest of the security of the State, friendly relations with foreign States, public order, decency, or morality or in relation to contempt of court, defamation or incitement to an offence." The present amendment is only made for the purpose of conforming to the language of section 19(2) of the altered Constitution.

Secondly, under the provisions of section 6 of this Act there are certain areas which are declared as protected, and one of the conditions laid down is to insist that every worker who goes into the protected place should obtain a permit. According to the present Act these places mostly are important works and industries where hundreds of men operate daily and there are constant changes in the personnel of the workers. Under the present Act for every entry into these places a permit has to be taken by everyone of those workers from either the State Government or the District Magistrate or the Commissioner of Police. There are practical difficultis. For instance, the Tallah pumping station is declared as a protected area or one of the electrical installations. There are practical difficulties to issue permits to different persons changing from day to day as the personnel of the working staff changes. The present amendment seeks to delegate power of issuing such permits to persons other than those mentioned above, e.g., to the head of the institution, the manager of the works and, generally speaking, to the head of the establishment under which these men work.

Then, Sir, so far as blause 4 is concerned, there was a judgment of the Calcutta High Court in which it was held that sections 21 and 22 of the West Bengal Security Act, 1950, are ultra vires of the Constitution. The main reasons given were: (1) that the Act does not provide for intimation of the grounds for the order to the person concerned; (2) that the Act does not allow the person to make any representation against that order; and (3) that the Act does not provide for any procedure or tribunal for consideration of the representation that may be made for the review of the order. The present amendment seeks to remove these defects by furnishing the ground for the order along with the order under section 21 by allowing the person to make a representation against the order and by providing for an Advisory Board composed of three persons of whom, as the amendment now stands, one should be qualified to be a High Court Judge. This Advisory Board will consider the representation and the order passed under section 21(1) of the Act and make recommendations which would be binding on the Government. The maximum period for the continuation of the order under section 21(1) has been fixed as six months. A minor amendment has been made in re-numbering section 21B of the Act to improve the language of the section. Section 22 relating to duration of the order has been omitted, as the duration has already been included in the new section 21.

Sir, with these words I move that the Bill be taken into consideration.

8]. BIMAL COMAR CHOSE: Sir, I rise again on a point of order. What I want to submit is that under the rules I do not think any discretion is given to you, and I feel, Sir, that we must uphold the rules of the House whatever may be the consequences. If we uphold the rules there would be no business today. If the rule is there and supports my contention the rule must be upheld. But if you think that there is any latitude given to you under any rules which you may kindly point out to me. I shall certainly admit that the business of the House can go on. But I believe that it should be the duty of every member in this House as also of yours to see to it that the rules by which we have agreed to conduct our business should be observed. Therefore, I make a very earnest appeal to you, Sir, to see to it, regardless of the consequences, that the rules be here observed.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Mr. Speaker, Sii, I think that the honourable member has forgotten to mention that with regard to any motion for introduction of a Bill the Rule that is to apply is rule 53(1), I mean the Proviso under it, a portion of which at the end reads thus "unless the Speaker in exercise of his power to suspend this sub-rule allows the motion to be made", i.e., at shorter notice. Therefore, Sir, there is no absolute bar, as my honourable friend Mr. Ghose seems to imagine, to a motion being moved. As a matter of fact Rule 62 lays down the restriction on a member's privilege that he must give at least 10 days' notice with a view to be able to move a motion before the House. If he gives 10 days' notice and the motion is in order, in that case, he may, of his right, move that motion, but with regard to rule 53 here is an expansion of the privilege of a member to move a motion and no question of a restriction arises and therefore Mr. Ghose's objection has no legs to stand upon and Rule 53 applies in the case and therefore the motion is perfectly in order which is in fact an expansion of the privilege of members rather than a restriction on it.

Sj. BIMAL COMAR CHOSE: What my learned friend has referred to deals with the different stages of a Bill and the notice period required in connection therewith. The Rule is very clear unless it is desired to create confusion in the matter. With a view to confuse the House and in order

just to get out of the provisions of this Rule the Hon'ble Minister tries to confound us with something which is not allowed by the Rule. There is no reason why we should be confounded because the Rules are very clear.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: But the existence of rule 53 cannot be forgotten.

Mr. SPEAKER: I have already stated that this is a restriction on the right of a member and not on the right of the House to consider such amendments. I find that rule 53(1) specifically mentions inter alia that "such objection shall prevail, unless the Speaker in exercise of his power to suspend this sub-rule allows the motion to be made". I do not find this portion here. Still I am inclined to believe that this article does not debar consideration of the amendments even in less than 10 days' time. That is what I believe is the correct interpretation of the rule and I do not think that any further argument is necessary in this connection.

# The Hon'ble NIHARENDU DUTT-MAZUMDAR: Also see rule 63.

- 8j. BIMAL COMAR CHOSE: Whenever under any Rule restrictions have been placed on the privilege of the members and if such restrictions could be relaxed under that very rule the authority who could relax such Rule is the Speaker and such authority of the Speaker is specifically mentioned in that very rule but in places where it has been curtailed and if there is no relaxation provided for in the rule the discretion to the Speaker to allow such relaxation, as is provided for in other rules, is not provided for in the Rules where it is not meant to be given. Of course, Sir, your ruling whenever given must be observed but this rule here is compact and clear by itself and I do not see that there is any confusion or deviation. In this rule 62, Sir, the different stages have been clearly mentioned, the consideration stage and the amendment to the Bill being considered. That is the stage that we are concerned with now.
- Mr. SPEAKER: I do not think that I will allow any further discussion on this point. If I find that any alteration has to be made I will see to it later on but let us now proceed with the business of the House.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am not very conversant with the rules but then look at rule 63, Sir, which gives the power to the Speaker.

- 8j. BIMAL COMAR CHOSE: I have referred to that already, and it refers to an oral request by a member to have his amendment to a Bill admitted at shorter notice than that prescribed elsewhere in the Rules and if that had been the case here I shall have no legs to stand upon but if the members do not ask for any such shorter notice then I submit that such motions cannot be moved.
- Mr. SPEAKER: As I have already stated if I find that there is anything to modify what I have stated today I shall consider it later on but at the present moment I am inclined to hold that my interpretation of the Rule should stay and I cannot rule out the amendments to be moved in the House.
- 8]. JYOTI BASU: Sir, I move that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th November, 1951.
- SJ. CHARU CHANDRA BHANDARI: I move that the Bill be circulated for the purpose of eliciting opinion thereon by the 15th October, 1951.

- st. JYOTI BASU: Mr. Speaker, Sir, once again at the closing stage of this Assembly and just before the General Elections the West Bengal Government has again come before us with the hated Bill known as the West Bengal Security (Amendment) Bill, 1951. This Bill, Sir, seeks to enchain the freedom of the citizen and also to enchain the liberty of the press still further if that is possible in West Bengal today. It seems to me that this Government—
- Mr. SPEAKER: Order please. Are you speaking on the West Bengal Security Act as a whole or are you speaking about this amending Bill which is before the House?
  - 81. JYOTI BASU: What does that mean. Sir?
- Mr. SPEAKER: It means that this Bill is for a specific purpose. Now the question is as to wether you should go into a debate on the Bill which is before the House or you should go generally on the West Bengal Security Act itself. What I would desire you to do is to confine your remarks to the Bill which is the subject-matter of consideration by this House today. That is all what I want you to remember.
- 8j. JYOTI BASU: The only difficulty is that two individuals cannot think in the same way and prepare their speeches in the same way. I have my own way of making my speeches and if you, Sir, bear with me a little and listen to me to the end I think you will find that I am speaking on the topic which is before the House and not on some extraneous matter which is not before the House. If you look at the Bill, Sir, if you read it, Sir, and if you have heard what the Hon'ble Chief Minister and just new, you will find, Sir, that it covers a lot of things. This may seem to be a very innocuous Bill covering one or two pages but, Sir, it involves questions dealing with the liberty of the subject and of the press and therefore I am afraid I might have to go a little into the history of such laws as to how they have come about in the present-day India and so on. Therefore, Sir, I do not think that if I speak about those things you can pull me up and say that I am not speaking on the topic which is before us. What after all, Sir, is the topic before us? The Central Government, Sir, has amended the Constitution in certain respects. Certainly I have a right to speak on those things because the Government here seeks to amend the West Bengal Security Act according to that light. Again, Sir, the High Courts have given certain judgments on the West Bengal Security Act, I mean on certain provisions of it and the West Bengal Government now have come before us to pass this measure with a view also to see that the High Courts do not any further go into these things and so on and so forth. Therefore I have the right to speak on that High Court judgment and whatever the West Bengal Government seeks to do. Therefore I would suggest in all humility that you give me sufficient time to speak on this Bill as it concerns every individual in the State of West Bengal and in India.
  - Mr. SPEAKER: It all depends upon what you say being relevant.
- **8j. JYOTI BASU:** I do not know, for you seem to think that we have been talking irrelevant. But then you can stop me when I do so.

Sir, it seems to me that this Government represent the big landlords and capitalists of our country and foreign capitalists. It is afraid of the little freedom which we enjoy now and again in West Bengal through the grace of the High Court Judges, and therefore it is a fact that even though it may be for one, two or three months, the citizens enjoy this freedom. But now that the Ministers will soon be swept away from power,

this Government could not wait for another three months for the General Election to come and the new Government to be formed. So they are in a hurry to amend the West Bengal Security Act in this manner. I, however, have condemned such Acts in the past with all the emphasis at my command. I had fought against the West Bengal Security Act clause by clause but unfortunately the Government with a subservient majority had passed the West Bengal Security Act in this very House. After a while the High Court saw to it that on some technical grounds the citizens should be protected and all the provisions of the Act\_should not be applied to restrict their freedom. And, therefore, Sir, the West Bengal Government seeks now to amend that part which has been held ultra vires. Right in the beginning when the West Bengal Security Bill was before us including this provision which is now sought to be amended, I had said in this very House in no uncertain terms that where there were certain people on the other side who were talking about using this Act for curbing the liberty of the communalists and the black-marketeers and so on, I pointed out that that was only hoodwinking the people and that it had nothing to do with the communalists and the black-marketeers, but it had everything to do with the rights of the citizens, with the rights of the political workers and of people who were organising the peasants, the kishans, the middle classes, and so on. Sir, the people on the other side have been all wrong, and I have been proved to be right because since then 2½ years have elapsed and in the meantime we have seen that every provision of the West Bengal Security Act and of similar other Acts have been used in order to suppress the movement of the democratic people of West Bengal. And, Sir, in this case I am not speaking merely theoretically; but I shall refer to my own case, when in 1948 I was released by the Judges of the High Court from my detention without trial by the West Bengal Government. Sir, as seen as I came out of the jail, the very same day I was served with a restriction order under such a provision which is now sought to be amended. In that order I was told by the West Bengal Government and also by the Hon'ble Chief Minister and his policemen that I was not to speak at public meetings and that I was not to leave Calcutta without the permission of the Police Commissioner, and so on and so forth.

Now, Sir, I am not a notorious communalist, neither am I a businessman and a sort of black-marketeer as many people are who are Dr. Roy's friends, but still I was served with this order because I was organising the workers and the peasants and the democratic people of West Bengal. And thereafter as I was proceeding to Bombay to attend a session of the All-India Trade Union Congress, the Police Chief Sri Hiren Sarkar arrested me at Tatanagar, and thereafter I was brought into jail from there. After five or six days I got the bail from the court. Sir, this is the way in which this Act has been working. Of course the Hon'ble Chief Minister and his friends will turn round and say, this is an individual case and probably Government might have been wrong, because after about a month the Magistrate held that I had not violated any restriction order and that the police had harassed me unnecessarily. But, Sir, such orders were served on every individual who was released from prison together with me. Therefore it cannot be said to have been a mistake in the case of an individual. We know that for 2½ years such things are happening, and it happened with others as well who were not liked by the Government. Even I know of individual cases of people who were half gangsters and half politicians who were supported by the West Bengal Government and by the Ministers in their various activities outside and were compelled to go against us-even such people when they turned against the Government were also externed or interned by orders of the West Bengal Government. Therefore, although it began with the communists, it ended with many other democratic

people belonging to other organisations besides the Communist organisation. Therefore, as I said, this is surely an attack on all democratic right of the citizens of West Bengal; and as long as such laws which are known as lawless laws are on the Statute Book, it would be impossible to carry on one's own honest avocation and no citizens would be safe, and it would be impossible for the citizens to carry on their democratic movements. Sir, the West Bengal Government have often condemned us and have held that we are indulging in violence. I say, it is lawless laws such as this which breed violence, because it is not compatible with democracy; it has nothing in common with the liberty of the citizens, and when such laws are enacted and enforced on the citizens, the citizens have no other way but to take and emotived on the creations, the Creations have no other way but to take recourse to other means. Therefore, the Government should think before they enact such legislations as this. But, Sir, this Bill goes a step further. The Government has within the last 2½ years learnt a lot of things. They have learnt the technique of suppressing the democratic people. They have seen to it that the liberty of the Press is curtailed, for unless the power of the Press is curtailed, it would be impossible to guarantee the security of the Ministers because what, the Ministers actually mean by security of the State is the security of the Ministers themselves. And so, Sir, the Central Government has amended section 19(2) and other sections of the Constitution. Still they cannot curb the freedom of the individual but the freedom of the Press, and the Press as a whole throughout India has condemned in no uncertain terms these amendments which the Central Government has brought about in our Constitution. It is a fine argument that the West Bengal Government brings before us when we talk about the Tramways Bill and suggest nationalisation without compensation. The West Bengal Government turns round to us and says it cannot be done because the Constitution bars the way—there is section 31. Then if certain articles in the Constitution do not suit the Government, the Government goes and amends the Constitution and again comes back to us and tells us "now the Constitution being what it is you have to work according to the Constitution" and so in the Statement of Objects and Reasons in this Bill, the Government tells us that as the Constitution has been amended the West Bengal Government has no other way but to fall in line with that Constitution, forgetting all the time, Sir, and hiding the fact from us that it was the West Bengal Government of all the Governments in India which, as I said on an earlier occasion, sent a secret memorandum to the India Govrenment so that section 19(2) of the Constitution and other such provisions guaranteeing to a little extent the liberty of the subject should be altered and amended—that fact is never told to us by the West Bengal Government. I am sorry to say, after 2½ years I have come to this conclusion that there are only two Governments in the world which have such laws, which have such provisions which are sought to be mended whereby the liberty of the subject is curtailed in this manner, whereby you can extern citizens by an order of the Government, you can intern them by an order of the Government, you can detain them without trial by the order of the Government. These two Governments are the Government of India and the Government of Pakistan, the two Governments which have been created by the British Imperialists in this part of the world. There is no other Government in the world where you will find such provisions either in the Constitution or such laws whereby they can detain people without trial or intern or extern them, and the Hon'ble Chief Minister may find out or his Secretary may find out for him and give the information where is the other Government in the world which has any such undemocratic powers. Even today we have seen in the press that in Australia where people like the Hon'ble Chief Minister and friends are ruling, these gentlemen sought to amend the Constitution but by a different method than has been done by our reactionary Government in New Delhi, that is, they went out on a referendum to the people and the people gave their verdict.

Mr. SPEAKER: The question of the amendment of the Constitution is not within the powers of the Provincial Legislature. Secondly, may I understand your grievance is you oppose the amendments which are sought to be made before the House?

8j. JYOTI BASU: If that is not understood yet, Sir, yes, I do oppose all the amendments which Dr. Roy has brought before us and as far as that other point is concerned I was trying to make out that there are other reactionary Governments also in the world like the Australian Government where the Conservatives are in power, but even there, Sir, they referred to the people when they went to change or amend the Constitution, but so far as the West Bengal Government is concerned or the India Government is concerned, they have other means whereby they change the Constitution behind the back of the people. That was the point which I was trying to make out. Therefore, as I said, such laws and such provisions can have nothing to do with free institutions and with democracy.

Now, if you go into the Bill or one or two points in the Bill, you will find that two or three things are mentioned with regard to curbing the freedom of the press, namely, public order, friendly relations with any foreign State and thirdly which incites or tends to incite commission of any offence. What do these things mean? They can mean anything and everything. Under such provisions, Sir, anything can be considered as illegal; any one in the press can be hauled up because after all what is public order. We know the interpretation of public order to our bitter cost. We have learnt it during the last four years of Congress rule in India and West Bengal. Now a thing has been added "friendly relation with any foreign State and incites or tends to incite the commission of any offence". I think the Hon'ble Chief Minister will do well to tell us why this has been introduced even in the Parliament. What I feel, Sir, is that the Government has seen-both in West Bengal and in other parts of India, Congress Governments have seen that the press, specially the democratic press, some time or other and on most occasions they take side by the people, by the democratic aspiration of the people and that they condemn the Imperialist power whenever they go out on agression against other people, other poor peoples as in the case of Korea. Every single democratic paper in India condemned the American Imperialists for their aggression against Korea. I think it is because the Government in different Provinces of India saw this aspect of the press that now they have got this amendment whereby now they can curb the power of the press and no press will be allowed to write anything unfriendly against their friendly American State or American Government. So if any Imperialist power does anything anywhere against any other people in the world, our press cannot take up the cause of the people elsewhere. In the old days the Congressmen used to do this, the Congress leaders used to do this. Whenever there was aggression, whether in China, in Spain or in Czechoslovakia, our Congress leaders stood by the people of those countries and condemned other Fascist and Imperialist powers if they did any unfriendly thing to the people of those unfortunate countries. But today the situation has changed and therefore our Government will see to it that the press also is curbed and crushed and that they do not stand by the democratic people fighting for freedom in Malaya, in Burma, in Korea, in China and elsewhere. I think that is one of the basic reasons why such an amendment has been introduced. Lastly, Sir, how has the West Bengal Government dealt with the press for

the last three or four years since it has come in power? I have looked up the papers. I find that about 45 papers in West Begnal—Dailies, Weeklies, Monthlies and so on—have been suppressed by the West Bengal Government. I have found out that these papers belonged not only to the Communist Party but they belonged to Women's organisation, to Trade Unions, to students organisation, to Kisan organisation and other democratic organisations. I have looked up the papers and found out that pre-censorship was imposed by the West Bengal Government against many a paper about 1½ years back and what is the nature of this pre-censorship which related to curb the democratic press. As we quoted something which related to Pandit Jawaharlal Nehru's utterances 4 or 5 or 10 years back during the struggle against the British Imperialists and those quotations of the then Pandit Jawahar Lal were suppressed and cut off. This was the nature of pre-censorship which was imposed on the democratic press of India.

Then Sir, even now security is asked from democratic papers—papers run by democratic organisations. Only the other day I went to the Chief Presidency Magistrate and asked him for permission to bring out a paper on behalf of railway workers, but security for Rs. 1,000 was asked from us. Similarly when we went to him and asked for permission to bring out a daily paper, again security was asked from us. This is the nature of democracy of the press, freedom of the press which prevails in India.

Then, Sir, time without number the premises of democratic presses have been searched by the police of the West Bengal Government, but I need not go into that, because those facts are well known to the people of West Bengal. The members sitting opposite may turn a deaf ear to this. They may not remember because memory may fail them, but the people of West Bengal are aware how the Government have been suppressing the freedom of the press in this country, and this Government now turn round us, come to us and ask us for further power to restrict the freedom of the press and the freedom of the individual. I for one am therefore opposed to every provision of this Bill. I do not see why the Government could not have waited for another 3 or 4 months. What would have happened to Government? In any case, they are going to be swept away from power. Why this nefarious act of theirs at the last moment before the general election? The Hon'ble Chief Minister often talks about democracy in this House. Will he tell me for the last time what kind of democracy is this? He has been to many lands outside India. Will he tell me whether in Britain and America there is any such provision in their constitutions and wthether they have got any such law whereby they can suppress the individual and the press in this manner? I want a categorical answer from him. Dr. Roy will have to face the election, but I hope he will face this without armed police guard, and then we shall see what verdict the public will give to the Chief Minister when he goes to the people of West Bengal. Why such a black anti-democratic Act as the West Bengal Security Act which is before us for amendment today?

Sj. CHARU CHANDRA BHANDARI: মাননীয় স্পীকার নহাণ্য, এই যে বিলান এথানে আনা হয়েছে, তাতে এই বিলেব হুনং ধারাটা আনা হচেছ এইজন্য যে constitutionএৰ ১৯২ articleএ যে সংশোধন হয়েছে সেই সংশোধনের সঙ্গে সামঞ্জন্য বক্ষা করার জন্য, এবং এখানেও সেই সেই জিনিঘই রাণা হয়েছে যেমম Security of State, Public Order, decency of morality and friendly relation with any foreign State. এই কটা জিনিঘ সগ্ধকে বিশেষ কোন আপতি পাকতে পানে না কিন্তু এই মান্ত বিশ্ব আছে যে বিষয়ে ভীষণ আপত্তি হতে পারে। সেটা হচেছ এই যে friendly relation with any foreign State. সাধারণভাবে দেখতে গেনে এতে আপত্তির কিছু নাই, কিছ

বে অবস্থার বর্ত্তনালে আনর। ররেছি, তাতে এই আইনটার অপপুরোগ বুবই হতে পারে। Friendly relation with any foreign Stateএর অর্থ কি না হতে পারে।। বঙ্গণ কোন সংবাদপত্র বা একজন citizenই হোন যদি পুচার করেন যে "পাকিস্থানে থারা minority, সেই communityৰ উপর নানাবিধ অভ্যাচার হচেছ" তাহলে সেই জিনিমটা friendly relation with any foreign Stateএর মধ্যে পড়বে কি না। অথবা বিশেষ বিশেষ ক্ষেত্রে সেটার আমলে আসবে কি না। কোন ব্যক্তি বিশেষ বা সংবাদপত্র বিশেষ পাকিস্থান কান উক্তি করলে এই আইনের পুরোগ তার উপর হবে কিনা? সেই জন্য আমি বলছি এর সঙ্গে একটা অন্ততঃ explanatory note সংযুক্ত হওয়া উচিত। Foreign Stateএর পরই এইরকম কথা থাকবে যোধান পাকিস্থানের minorityর উপর অত্যাচার হচেছ, তারা সেখানে থাকতে পারছে না, ইত্যাদি এর আমলে আসবে না। এই আইনটার যদি ব্যাপক অর্থ করা হয় তাহলে ঐক্যপ পুচারের ব্যাপারটাও তার মধ্যে কেলা যায়।

তারপরে, Security of Stateএরও ব্যাপক অর্থ করে এই রকম abuse হতে পারে। সেইজন্য এবানেও আমি মনে করি একটা explanation এর সকে সংযোগ করা উচিত যাতে এর কদর্থ না করে কোন ব্যক্তি বা institution বিশেষের উপর পুরোগ করে সরকার অত্যাচার না করতে পারেন।

ত্তীয় কথা হচেছ—Security Actual Sections 21 এবং 22 হাইকোর্টের বিচার অনুসারে ultra vires হয়ে গেছে এখন সেটাকে সংশোধন করার জন্য নূতন একটা sectionaর পুবর্ত্তন করা হয়েছে। যা পুবর্ত্তন করা হচেছ যে যে বিধান এর মধ্যে আছে তাতে যখন কোন ব্যক্তির movement বা action restrict করে তার উপর আদেশ জারি করা হবে, সে কেত্রে কেন এই আদেশ জারি করা হচেছ সেটা specify করা হবে, এবং তার কি বলবার আছে সেই জিনিঘটা explain করাব একটা opportunity দেয়া হবে; এবং সেই explanationটা tribunaluর হাতে দেয়া হবে। এতে কিছু সময় লাগবে। এই amendmenta যে বিধান করা হয়েছে তাতে এই জিনিঘটা হতে ২।০ মাস সময়ও লাগতে পারে। হিতীয়তঃ গতর্ণমেন্টের হাতে ঘর্ষন এতওলি ক্ষমতা থাকছে, তাই এমন একটা provision করা উচিত যাতে করে গতর্ণমেন্ট যেন ১৫ দিনের বেশী কাওকে রাখতে না পারেন। এবং এই বিধান করা উচিত—tribunal বসানোর ১৫ দিনের মধ্যেই যেন তাদের রায় পাওয়া যায়। স্চবাচর দেখি tribunal বসাতেই প্রায় তিন মাস পর্যন্ত হয়ে যায়, এবং গতর্ণমেন্ট reasonable কোন ground না থাকলেও তিন মাস পর্যন্ত কোন ব্যক্তিকে আটক রাখতে পারবেন।

আর একটা কথা। Advisory Board যে করা হয়েছে তার constitution কি হবে? এর constitution এমন হওলা উচিত High Courtএর Judge ধারা আছেন তাঁদের কাছেই এই Advisory Board গঠিত হওলা উচিত। এ সহদ্ধে আমার amendment যখন উঠবে তখনই বিশদ আলোচনা আমি করব। এখন, মোটামুট্টি আমার দু'টি আপত্তি হচেছ এই যে friendly relation with any foreign Stateএর সমৃদ্ধে এমন একটা explanation থাকা উচিত যাতে আমি পূর্বে যে সমস্ত উদাহরপ দিয়েছি ভাদের যেন এই আইনে সাজা না হয়। আর security of State সমৃদ্ধেও ঐ কারণে অনুক্রপ একটা explanation থাকা উচিত।

8J. HARIPADA CHATTERJEE: সভাপতি মহাশন্ম, আমি সমগুভাবে এই বিলটার বিরোধিতা করছি। আমার মতে, এই সরকারের হাতে নাগরিক বা প্রেসের কোন অধিকার হবণ করবার ক্ষমতা দেয়া উচিত নয়। ওঁরা constitution যেভাবে modified হয়েছে সেই অনুযায়ী আবার modification করে নিরে ক্ষমতাগুলি হাতে রাখবার চেটার বন্ধপরিকর। সেইজন্য আমি কোন রক্ষম ক্ষমতাই এঁদের হাতে দিতে পুস্কত নই। তিন মাস পরেই আমাদের সাধারণ নির্বাচন আসছে। আমাদের সরকারের এখন উচিত, যে সমস্ত গুরুতর সমস্যার সন্ধুখীন বর্ত্তবানে আমবা হয়েছি, তাই নিরেই বাস্ত থাকা, এবং এইটেই আমরা চাই।

আজকে দেশে খাদ্যাভাবের চরম অবহা। গ্রামে গ্রামে লোক না থেয়ে ,রয়েছে, ওঁরা (pointing to the Treasury Benches) এখানে বসে সে ববর ত রাখেনই না। এবং সে সম্বন্ধ আবাদের সঙ্গে বসে আলোচনা করবার সময় পান না, বা সেরপুশ্আলোচনা করাটা কর্ত্তব্য বলেও বিবেচনা করেন না। কিছু আবি ওাদের সাবধান করে দিছি সময় গোলে, দেশকে দুভিক্ষ থেকে বাঁচানো বাবে কি না সন্দেহ। আবরা গাঁরে গাঁরে লোকের বাড়ী বাড়ী বুরে যে সমস্ত খবর সংগ্রহ করি, আবাদের সেসব খবর ওঁরা গ্রাহাই করেন না। ওঁরা কি বিশাস করবেন গ আবার কাছে list রয়েছে, মুশীদাবাদ ও নদীয়ার যে সমস্ত লোক না খেরে রয়েছে তাদের

নানিকা আৰার কাছে রয়েছে, ওঁরা যদি দয়া করে শেগুলি দেখেন জামি এখনি ওঁদের দিতে পারি। ভারা সৰ বটিবাটি বাঁথা দিয়ে বা তৈজসপত্ৰ যা কিছু ছিল বিক্ৰয় করে যে প্যসা পেয়েছে ভাই দিয়ে মঞ্জদারদের कारक स्थल विश्वन मारम नेता किरन नव किंकु नवन कुरक निराम बरन चारक। अपन नवन निरामस नेता किन আনাহার, উপবাস। আর এখানে ওঁরা করেন কি না যাবা মানবতার জন্য কাঞ্চ করে তাদের উপর কি করে শুক্ত শুক্ত আইন পুয়োগ করা চলে তারি সব ফিকির ফলি ∤ বিশ বংসরের জন্য ট্রাম কোম্পানিনা বিদেশীর হাত <sub>কলে</sub> দেয়ার বিল এনেছেন, অথচ যা একান্তভাবে এখনি কবা দরকার সে কান্ধটা না করে এই সমস্ত বাজে কাল্ক. ্বান্তে বিল নিমে সকলেব সময় নষ্ট কবছেন এবং তাকেই কাজ বলে মনে করেন। ওদিকে যে নাগরিকেরা না প্ৰয়ে রয়েছে সে দিকে বিশ্বাত্ৰও নজৰ নাই। আমাৰ বন্ধু জ্যোতি বস্ত্ৰ অধিকাৰ হৰণ করবার জ্বনা ওঁরা বদ্ধপরিকর, তাঁর অপরাধ তিনি মানবতাব জন্য কাজ কবেন, জনসাধাবণের অধিকাব রক্ষাব চেষ্ট। করেন, হয়ত কাল দেখৰ যে আমার বন্ধুকে ওঁরা ধরেছেন। আমি করলেও আমাকে তাঁরা আট্কাবেন। সভাপাল মহাশম, আনি বলতে চাই যে, এই দুৰ্নীতিপরায়ণ শাসন ব্যবস্থায় আজ এমনিতেই আমাদের দেশের নাগবিকের নিবাপ**ন্ধা** কণ্ হবার উপক্রম হয়েছে, তার উপব যদি এই বিলে উক্ত ক্ষমতা তাঁদের হন্তগত হয় তবে তো কোন কথাই নাই। এই সরকারের হাতে কোন পুকাবেই এই ক্ষমতা দেওয়া যেতে পারে না। মানুষ ক্রমাগতই অত্যাচারিত হবে ওনের হাতে এবং তার প্রতিবাদে তারা একটা কখাও বলার স্থযোগ পাবে না। এরা democracyর মৰোস পরে আছেন এবং মুধে ব্যক্তি স্বাধীনতা ইত্যাদি বড় বড় বুলি আওড়ালেও এই সমস্ত বিল এনে স্বাধীনতার ুলেই কঠারাবাত কববার চেষ্টা কবছেন। এঁদের অত্যাচাব রাশিয়ার জাবেব অত্যাচারকেও মান করে দিয়েছে। গম্পতি আমি নানাস্থানে ঘূবে যে অভিজ্ঞতা সক্ষম করেছি তার খেকে আমি বলতে পারি যে, এঁদেব হাতে ক্ষমতা দেওয়া সঙ্গত হবে না। একটা ঘটনাৰ কথা আমি উল্লেখ করছি। একটা Union Boardএর কেরাণী পলিসের সহায়তায় সেখানকাব লোককে আফ্লের টিপ দিতে বাধ্য কবছে এবং বলছে তাবা নাকি জনসাধারণের ্রকমাত্র কল্যাণকাবী। তাদের শাসিয়ে দিয়ে বলা হয়েছে আহুলের টিপ না দিলে রেশন দেওয়া হবে না। তাদের বেশন বন্ধ কৰবার কি অধিকাৰ তাৰ আছে? সেখানে modified rationing আছে। সেখানকার জনসাধারণ এই ব্যাপারন। উপরে জানিয়েও কোন পতিকার পায়নি, তবু আমাদেব বলতে হবে এঁরা আমাদেব প্রকত কল্যাণকামী। আরেকটা ঘটনার কথা বলছি। একটি Matriculation Classএর ছেলের কথা আমি জানি, তাকে নাম দিতে বাধ্য করার চেষ্টা হয়, কিন্ত শে অস্বীকৃত হওয়ায় একটা অত্যন্ত flimsy grounds তার পরিবারে ration वक्क कता दय; তात পरिवादत ১৭ कन लाक, जाएनर कि कदत हतन ? Registered छाटक व्यासात কাছে এই ধবর এসেছে। অনুসন্ধান করলে এইবকম অত্যাচারের ঘটনা আরও মিলবে। আপনারা এখানে বসে হাসেন, অপচ মানুষ না খেতে পেয়ে মারা যাচেছ্। সভাপাল মহাশ্ম, জনসাধারণ যদি হাতে ক্ষমতা পাম তাহলে। गर्नार्श औरमत्र restrict कतरन। निर्नाहरने चार्श चात्र औरमत शास्त्र कारण किक्टलडे रमुख्या हरने ना। নির্বাচন এঁরা ভালভাবে করবেন না, আমরা তা জানি। তাঁরাও বোঝেন নির্বাচন নির্বিচে অনষ্টিত হলে তাঁদেরও হয়ত একদিন bullet faceকরতে হবে। যেখানে সুষ্ঠভাবে নির্বাচন ঘৰার কথা সেখানেও এঁরা নানান technical দোমের অজুহাতে বাধা স্টের চেটা করবেন। অধচ এই সব অত্যাচারের কথা পকাশ করার অধিকার আমাদেব থাকবে না। আরও একটা বিষয়ে আমি পুধান মন্ত্রীর দৃষ্টি আকর্ষণ কবঙি। আজ আমাদের দেশের জেলগুলিতে প্রাপেকা অধিকতৰ অত্যাচার হচেছ, এদিকে তাঁরা কখন দৃষ্টি দেবেন ? এই বিল খারা আমাদের कर्फ (जार कतात (bष्टे) १८०६, कनमार्थातरभव कार्छ प्रामारम्य वरूना श्रकांग कतात्र अधिकात (धरक विश्व कता ংচেছ। তাই আমি সমগভাবে এই বিলের পতিবাদ করছি।

8j. DEBENDRA NATH SEN: Mr. Speaker, Sir, I support the amendment for circulation, not that I do approve of the provisions of the Bill, but I am opposed to this Bill. If the Government feels that there is a necessity of such a Bill, I think the best way is to circulate the Bill for eliciting public opinion and to ascertain which view is correct, Government view or our view. That is why I support this amendment for circulation. I remember, Sir, that during the Budget Session while speaking on a resolution for having by-elections in the North Calcutta and South Calcutta, I made this point that Government have got certain Bills which vitally apply to all citizens of Calcutta and particularly citizens who remain and reside in the capital. Therefore it is essential that Government should ascertain

by having these by-elections as to what is the view-point of the people of the country and that view-point has been given in no unmistakable terms The Congress Government and the Congress did not dare to set up and member and the members who have been returned have been returned on the issue of freedom for the people and the press and the withdrawal of the presen Calcutta Municipal Bill. Yet Government would bring these two Bills here although people have registered their opposition to them, and, Sir, particularly refer to the Calcutta Municipal (Amendment) Bill. Plea Pleas circulate it and get the opinion of the press, get the opinion of the workers get the opinion of the various public bodies and let us see whether they agree to the provisions of the Bill, and, if not, let Government bring it will take up that reasonable course.

That is why I am not going into the merits of the provisions of the Bill.

This amending Bill has been brough forward under a pressure from two outside sources. One pressure has comfrom the fact that clause 19(2) of the Indian Constitution has been amended Another pressure has come from the fact that the High Court has given a verdict declaring sections 21 and 22 of the West Bengal Security Act, 1950 as ultra vires. So the present Bill is a reaction of these two pressures bu that reaction has come in a strange way. Firstly the amendment of the Constitution has extended the restrictions upon the freedom of the Press and the people. That restriction has been further intensified in this amending Bill. The High Court has extended our privileges to some extent. It has declared the restrictive sections 21 and 22 as ultra vires. But the amending Bill seeks to circumvent the judgment of the High Court so that people would not get the benefit and advantage which the High Court has given us. I will explain the position. Section 19(2) has been amended and a phrase has been introduced that the restriction must be reasonable But in this amending Bill nowhere is to be found the expression reasonable It was not in the original Act but this time Government has had at opportunity of adding the word "reasonable" which might have given some freedom to the people. The present Government has not done that I have gone through the amending Bill but nowhere have I found the mention of the word "reasonable". It is only these restrictions that have been mentioned in the Bill and everywhere it has been said "sufficien cause" and not "reasonable cause" which is the amendment introduced and passed in the Central Parliament to Article 19(2). The other point is that so far as the definition of "prejudicial report" is concerned the Central Government has amended it in one way but this State Government has intensified that restriction still more. I would like to draw your attention to section 19(2), last line, "incitement to an offence" but in the presen Bill it says, "which incites or tends to incite". Besides commission of a offence here is a further intensification "tends to incite", and it take away all our freedom by introduction of this phrase "tends to incite". So the present Bengal Government has gone further than what the Centra Government has done by its amendment passed by the Central Parliament

Now, Sir, I come to the point with regard to the High Court judgmen which sought to give us some freedom by declaring the sections as ultra vires. In the Statement of Objects and Reasons it has been said, "The preesn amendment seeks to remove this defect". Now what is the defect? The High Court has declared sections 21 and 22 ultra vires of the Constitution as the restrictions are most unreasonable. The contention of the Govern ment is that if these restrictions are unreasonable they may be removed by having an advisory board. But if the restrictions are unreasonable they are there. That is the thing. That is the text and they cannot be removed by sending those objectionable documents to an advisory board. It is therefore with view to circumventing the order of the High Court that this

new Bill has been brought. Sir, we have had enough experience of Advisory Board. Mostly they do things in a way as would not go to displease the Government that be in power. So really this Bill does not in any way try to implement the High Court judgment but rather dupes and deceives the public that this Bill is going to implement the High Court order.

Sir, the circumstances we are in now are very strange. Personally I feel that we are just in the same position in which we were during the years 1937-39 when we never felt ourselves at ease in our everyday life. Every moment spies were shadowing us, the C.I.Ds. were everywhere and there was always the dread of the lawless laws coming on our heads and we had to live perpetually in constant dread and fear. Even today I may sight strange persons at strange hours coming not only to my office but to my residence and asking me strange questions. I find strange people posted before my residence. They are shadowing the trade unions. The C.I.Ds. are going about asking for information about the names of members, the names of their fathers, their residences, their finances, etc. I find also that trade union workers have been served with externment orders on whimsical grounds. There is now a strange atmosphere everywhere and I do not feel that we have got freedom. Rather, we feel otherwise. We feel that people came to realise that it was a foreign Government in the past that did so, and people then withstood all oppression. But now it is because the so-called Congress Government that is doing these things that there is a confusion in our mind. That is the situation now. It is still worse than before. This Bill gives further power and latitude to persons in power. Sir, reports of deaths from starvation from 24-Parganas are appearing in newspapers, but if this Bill is passed, will the newspapers be able to print those things, or to give a report that the price of rice in Jalpaiguri is from Rs. 50 to Rs. 80 per maund or in Murshidabad from Rs. 40 to Rs. 70? I do not know they will be able to do so, for they will have to depend on the mercy of the Executive. Therefore I say if you want to take away all our rights and privileges, do that. But do not come in this way assuming that the entire people are fools, that they do not understand or realise your actual intention. The way in which Government is doing this thing will defeat its very object and I say that the Government is really bringing forward more quickly than it would otherwise have been the second revolution in this Province.

8j HEMANTA KUMAR BASU : মাননীয় শ্লীকার মহোদয়, আমি বর্তমান সরকারের হাতে কোন রকম ক্ষমতা অর্পণ করার বিরুদ্ধে কারণ আমার অভিন্ততা থেকে দেখেছি যে নির্দোঘ বাজিদের ধরে নেওয়া হচেছ। এবং তাদের বিনা বিচারে আটক রাখা হচেছ। দুমুদমের দুর্ঘটনার পর এই রকম ঘটনা ঘটেছিল। ৰাগৰান্দার হইতে চারন্ধন লোককে গ্রেপ্তার করা হয়েছিল, আমি প্রধানমন্ত্রী মহাশয়কে বলেছিলাম যে এরা নির্দ্ধোষ, अपन्त बननात्र क्वान कान्न नारे, अपनत एक्ट प्रथम हक्। जाएनत विक्रम्फ charge जाना स्टापिक looting, arson, murder আমি বলেছিলাম উহা হতেই পারে না, মিধ্যা কথা; পুলিশ এই সম্পর্কে ঠিক সংবাদ জানে না। তারপর ৩-৪ মাস আটক রাখার পর তাদের বেকস্থর খালাস দেওয়া হয়েছিল। এই রকম ভাবে মিধ্যা report पिरा এই गव youngmen एम्ब चाहेकान इर्लाइन, जाएम निर्यग्रञन कवा स्टाइन अवः रा শমত Officerর। তাদের উপর এই অন্যায় করেছিল সে বিষয়ে কোন ব্যবস্থা করা হয় না। আমি একটী ছাত্রের নাম বল্ছি, হিচ্ছেন রায়, উল্টাডাঙ্গার একটা ছেলে, গত সাম্পুদায়িক দালার সময় সেখানে শান্তি স্থাপনের बना कांच करत्रिक्त, चारता नकरनरे रारे नयस धरेत्रकम कांच करतिकिताम, ति विषय चालनाता नकरनरे जारमन ; এই ছেলেটাও কাল করেছিল, কিন্তু পলিশ হঠাৎ তাকে ধরে নিয়ে গেল এবং courtএ বিচারে সে বেকল্পন बीनांग रहा (शन, ठादश्रद ठाटक त्कत Security Acta ध्वा रहाहित वदः व्यवश ठाटक इयमांग बाहित्क वीची शरप्रकृत। এই प्रकम जातक चर्टनारे चर्टेर्ट्स। এই चर्टनाश्चित जाति श्रुवानमञ्जी महानवरक वरतिकृतान এবং case হলে দেখা গেল যে তারা খালাস হরে গিরেছে। এইজন্য আনার মত হচেছ যে এই Government কে কোন রক্ষ বিশেষ কোন ক্ষতা দেওয়া উচিৎ নর। যদি এ'দের কোন ক্ষমতা দেওয়া হয় তাহনে

দেশের জনসাধারণের মত সংগৃহ করা উচিৎ। এঁরা কোন দিক থেকে কোন বিষয়েই জনসাধারণের কাছে কোন মত গহপ করতে চান না। এতে বৃষ্ধতে পারা যাচেছ যে এই সরকারের গণতন্ত্রের উপর বা জনসাধারণের উ<sub>পর</sub> কোন শন্ধা নাই এবং তাঁদের উপর বিশাস নাই। যদি সে বিশাস থাকতো তাহলে যে সমস্ত বিল এখানে আদতে : যে বিলের বিশেষ জ্বনমত দরকার, সে বিল্ঞালি তাঁর। জ্বনগাধারণের কাছে পেশ করতেন। আজ্পকে এই বাং} এমন কোন ঘটনা ঘটে নাই যাতে রাষ্ট্র ক্ষতিগৃত্ব হচেছ। বর্ত্তমান সরকারের পতি দেশের জনমত বিক্ষর। সভা তাঁরা টের পেয়েছেন। শক্ষেয় শরৎ বাবর নির্বোচন ও এই দইটা নির্বোচনের পরেই তাঁরা সেটা টের পেয়েছেন। আমরা জানি জনসাধারণ দেশের বা রাষ্ট্রবিরোধী এমন কোন কাজ করতে পারে না। তাই যারা এই স্বকার ৰা শরকারের লোকের ব্যবস্থাকে মানতে চায় না তাদেরই শরকার তাদের বিরুদ্ধে মিধ্যা report দিয়ে তাদের দাবিয়ে রাখছে। আমি জ্ঞানি একটা ছেলে, সে বেশ শক্তিমান ছেলে, তাকে ধরা হল revolver case এব পেলিশ তাকে ধরে নিয়ে পিয়ে অমান্ধিক মার মাবলে।, তাব হাত পাবেঁধে তার মধ্যে লাঠি চালিয়ে দিয়ে ছুড়ে **एकरल** एकरल निरम्न स्मार्टिका। ज्यामि उथन वरलिखनाम या এই लाकिही निर्म्माच, এटक छाउँ प्रश्निस होते हैं। পরে সে বেকস্কর খালাস হয়েছিল। এই সব ছাত্রদেব এই সবকারের প্রতি বিশাস থাকতে পারে না। আব শারা এই দেশের শেবা করে এসেছে, যাদের আটক ও নির্য্যাতনের ফলেই ভারতবর্ষকে এই বর্ত্তমান অবস্থায় পরিণ্ড করা শহর করেছে, তাদেরই উপর যদি এত অবিশাস ও নির্যাতন চলে তাহলে এই বাষ্ট্র কর্মনই ঠিকভাবে চলতে পারে না। সে জানা আমার নিজের মত হচেছ যে কোন রকম ক্ষমতা বা শক্তি এই স্বকাবের উপব দেওয়া উচিৎ নয়। আমার নির্বাচনের সঙ্গে সঙ্গে দেখেছিলাম  $C.\ I.\ D.\ পুতুরা আমার পিছন লইয়াছে, আমি কোগায$ याই না याই তাহাব ৰ্ণোজ করছে। স্থতবাং আমার পৃষ্ঠবর্ত্তী বক্তাবা যে সব কথা বলেছেন যে এঁদেব বিদেশী শক্তির সঙ্গে বন্ধুত্ব আছে এবং সে বন্ধতার বিরুদ্ধে কোন কথা বলা চলবেনা। আছকে সারা বিশ্বে জনমত জেগে উঠেছে। आजरू পृथिवीव कान अः (न कान अनाग्र वा निर्याण्य करत अपन वः (नव त्नारकता जाव मः व जान করে ও তার পতিবাদ করে এই নতন গণতন্ত্রের মধ্য দিয়ে সাবা বিশ্যে নতন শক্তি জাগিতেছে। তাই যদি আজকে কোন বিশেষ শক্তি যদি অন্য কোন জায়গায়, আমি এমেরিকাব কথা বলচি, যে "কেরিয়াব" উপর, --একটা ক্ষত-শক্তির উপর যেতাবে আক্রমণ করছে তাতে আজ এশিয়াব গণতন্ত্রেব অধিকাব ক্ষুনু হচেছ। এই কথার কেই-প্রতিবাদ কবতে পারে না, এতবড় অন্যাযেব কেউ প্রতিবাদ কবতে পারবে না; এমন কি কোন খবরেব কাগছে কোন ধবরই লিখতে পারবে না। এই যদি হয় এই রকম আইন হলে পবে, যে কথা আমাদেব constitution: দেওয়া হয়েছে যে মানুষের গণতান্ত্রিক অধিকার ব্যক্তিগত অধিকারকৈ অক্ষন রাপা, এই বক্ষ আইন যদি সুরু সুন্য করা হয় তাহলে জনসাধারণের ন্যায্য যে গণতান্ত্রিক অধিকাব তা ক্ষুনু কবা হবে। এই দিক থেকে এই বিশ আপনারা বিচার করুন। এই বিলের ধারা যে কোন লোককে মিধ্যা, prejudicial report দিয়ে আটকে রাখা যাবে; এই কথা এই বিলে এইরূপ ব্যাপকভাবে আছে যে এর কোন নির্দিষ্ট সীমা নাই। এই বৃক্ম যেখানে দেওয়া আছে সেইরূপ ক্ষমতা এই সরকারের হাতে দেওয়া উচিং নয়। আমি সেইজনা এই বর্ত্তমান যে Amendment এই Houseএৰ শামনে উপস্থিত করেছেন, আমি স্বকাবকে বিশেষ করে অনরোধ কর্ছি জন্ততঃ একবার আপনাবা এই বাংলা দেশের জনমতকে বিশাস ককন, একবাব অন্ততঃ তাদের মত গ্রহণ করুন। এই Socurity Bill সম্বন্ধে জনসাধারণের কিমত তা যদি সরকার একবাব গহণ করেন তাহলে জনসাধারণ বনে করবে যে সরকারের আছা তাদের উপর আছে। এই কখা বলেই আমি এই সংশোধনী প্রস্তাব সমর্থন করছি।

Janab MD. KHUDA BUKHSH: Mr. Speaker, Sir, I would like to say that I have not been able to appreciate the arguments advanced by my friends opposite. They have moved an amendment for the purpose of sending this Bill out for eliciting public opinion. I am afraid the old Bill or the main Bill is not before the House. What is before the House is an amendment of the Security Act. Whatever had been taken exception to by either the Hon'ble High Court or the Constitution of India in the old Bill has been brought here for amendment. Sir, some friends have said that nowhere in the world is there any provision for detention without trial. Sir, I am not competent to answer that, but I can say this much that the country which supplies inspiration to my friend Mr. Jyoti Basu does not use the humane method of detaining people who subvert the security of the

State. They do not detain presons who are anti-social or people who go against the State. They are liquidated instead. Those people are encouraged to pine away and languish, in the fastnesses of Siberia.

Another friend said that this amending Bill sought to circumvent the judgment of the Hon'ble High Court. Really, Sir, I do not know if this is a method whereby Government is trying to circumvent the judgment. The High Court has held that certain provisions of the old Act, I mean the main Act, are ultra vires of the Constitution because of the restrictions imposed on the citizens of the State which were considered by the High Court to be unreasonable. I really cannot understand, Sir, how my friends opposite can interpret this to mean that we are trying to circumvent the judgment of the High Court. We have gone a step further. We have ensured for the citizens of West Bengal, when they are detained, that not only the grounds are reasonable but they will bear scrutiny by persons who are either Judges of the High Court or qualified to be Judges of the High Court.

In regard to the provisions which impose restriction on the press, much has been sought to be made out before this House. I for one am wholly in favour of those provisions of the Bill. My honourable friend Sj. Jyoti Basu knows that it redounds to the credit of the Government and the liberality of the laws of this Government that no one has yet been touched for writing anything against the American intervention in Korea or the United Nations intervention in Korea. That ought to convince my young friend that it is not the intention of this Act to suppress or gag honest criticisms, but what its intention is should be obvious to us, to the representatives of West Bengal that we shall not permit the press to include in anything which endangers or which may affect the relations between the two neighbouring States of India and Pakistan. The House knows, and the citizens of West Bengal know, that we are living in times fraught with sinister possibilities and charged with sinister potentialities. Anything said here without circumspection or without proper judgment may have repercussions elsewhere, and that may react on us here. So, it is a very wise thing to have a provision in this Act, so that we can regulate the activities of the Press when they themselves willingly or unwittingly hamper the friendly relations that exist between neighbouring States. I again reiterate my objection to the arguments advanced by my friends opposite. This is not an original Bill; the Bill is there. It is only a Bill seeking to amend certain sections of the Bill, and therefore there is absolutely no need for this Bill to go out for eliciting public opinion. Therefore, Sir, I oppose the motions for circulation.

ষ্ঠা. KANAI LAL DE : মাননীয় সভাপাল মহাশ্য, এই যে Security Amendment Bill আমাদের সাথ্যে উৎপাপণ করা হয়েছে, কিন্তু আমি দেবছি, এই বিল উৎপাপণের কোন পুরোজনই ছিল না। এটা সংশোধন না করনেও পুরেবিকার Act এ যে ক্ষমতা ওদের হাতে দেওয়া আছে তাই যথেই, তা হারা ওঁদের উদ্দেশ্য দিছ হতে পারে। কিন্তু আমাদের বর্ত্তমান সরকার এত ক্ষমতা মণমত্ত যে তাঁরা যতই ক্ষমতা নেন তাতে সন্তই না থেকে আরো বেলী ক্ষমতা চান। এই Security Bill যখন পুথর পাশ হয় তখন এর মূল লক্ষ্য ছিল যে কথা তখন মন্ত্রীয়া বলেছিলেন, যে State এর বিক্ষে কোন Subversive action কেন্ট্র করনে এটার পুরোগ হবে; যদি সেই উদ্দেশ্য ওঁদের থাকত, তাহলে যে ক্ষমতা আছে তা হারাই চলত। কিন্তু সরকারের কার্য্য হারা পুরাণিত হচেছ যে সে উদ্দেশ্য তাঁদের নয়। তাঁদের আগল উদ্দেশ্য হচেছ যে ক্ষমতার ভাঁয়ে সরবাতে চেটা করে, বা কোন বান্ধি বিশেষ বা কোন রাজনৈতিক দল বিশেষ যদি সেই ক্ষমতা থেকে ভাঁদের সরাতে চেটা করে, বা কোন কেন্ট্র যদি মন্ত্রীদের অপুণিতিভাজন হয়, তাহলে তাদের মুখ্ বন্ধ ক্ষমতে হবে, তাদের আধানতা থবর্ব করতে হবে, তাদের জেলে পুরতে হবে। কোন সংবাদ প্রে যদি বিক্ষম্ক সরালোচনা করে, সংবাদ প্রের কর্ত্তমান প্রের করেয়াই হচেছ দেশের ক্ষন্যাধারণের আর্থির দিকে দৃষ্টি রাধা, গণতান্ত্রিক বত্রাদ পুচার করা, ক্ষন্যাধারণের আর্থের দিকে দৃষ্ট রাধা, গণতান্ত্রিক বত্রাদ পুচার করা, ক্ষন্যাধারণের আর্থের দিকে দৃষ্ট রাধা, গণতান্ত্রিক বতরাদ পুচার করা, ক্ষন্যাধারণের আর্থের দিকে দৃষ্ট রাধা, গণতান্ত্রিক বতরাদ পুচার করা, ক্ষন্যাধারণের আর্থের দিকে দৃষ্ট রাধা, গণতান্ত্রিক বতরাদ পুচার করা, ক্ষন্যাধারণের আর্থের দিকে দৃষ্ট রাধা, গণতান্ত্রিক বতরাদ পুচার করা, ক্ষন্যাধারণের আর্থের দিকে দৃষ্ট রাধা, গণতান্ত্রিক বতরাদ পুচার করা, ক্ষন্যাধারণের আর্থের দিকে দৃষ্ট রাধা, গণতান্ত্রিক বতরাদ পুচার করা, ক্ষন্যাধারণের আর্থের দিকে দৃষ্ট রাধা, গণতান্ত্রিক বতরাদ পুচার করা, ক্ষন্যাধার আর্থিক দিকে দৃষ্টি রাধা, গণতান্ত্রিক বতরাদ পুচার করা, ক্ষন্যাধারণার আর্থিক দিকে দৃষ্টিক বিল্বা দুটিক বান করা।

ন্ধান্ধনৈতিক চেতনা বৃদ্ধি করা, এবং সরকারের যতসব অপকর্ম তার বিরুদ্ধে কঠোর সমালোচনা করা, কিছ এইসব কাল যদি কোন সংবাদ পত্র করে, তাহলে সে এই Security ৪০৫এর বলে সরকারের কাছে রেহাই পাবে না। এবং যথন যাকে ধুনী আটক করে রাধার জন্য এবং পুকৃত ক্ষমতার অপব্যবহারের জন্য এই amendment চা আনা হয়েছে। এই housed এই Sectifity Actua অনেকগুলি amendment আনরা পাশ হতে দেখেছি এবং বেটা পুথম পাশ হয়েছে ক্রমশং সেটাকে কঠোর হতে কঠোরতর করার অভিজ্ঞতা আনাদের নতন নয়। এবং যথনই assembly বসে তখন ওরা এর একটা না একটা ধারা কঠোরতর করার চেটা করেন; এর হারা স্পটই বোঝা যায় ওঁরা ওঁদের হাতের ক্ষমতাকে ক্রমশই দৃচতর করবার চেটা করে

পৃথিবীতে দেখা যায়, দেশের মানুষের অন্তরের আসনে যদি সে দেশের সরকার পৃতিষ্ঠিত না হয়, তাহলে সে সরকার ভর দেখিরে, জেল, পুলিশ শাল্লী সেপাইরের হারা ক্ষমতারা অধিষ্ঠিত থাকার চেষ্টা করে। আমাদের এই সরকারের ও সেই পদ্মাই দেখছি। যখন দেশ স্বধীন হয়েছে, গণতান্ত্ৰিক শাসন, জনসাধারণের পতিনিধিরা শাসন কার্য্য চালাবেন, সে অবস্থায় জনসাধারণকে যদি তার৷ হাত করতে পারতেন, তাহলে এ রক্ষ আইন আদে আনতে হত না, এবং আমাদের পধানমন্ত্রীকে সর্বদা সিপাহী পরিবেটিত হয়ে থাকতে হত না। পধান মন্ত্রীর বাড়ীর সাঁথে দিয়ে যখনই যাই দেখি সুবৰ্ষদা সশস্ত্ৰ পহরী তাঁর বাড়ীনির সম্মুখে সূত্র্ক পাহারা দিচেছ একটা মিলিটারী গাড়ী বোঝাই সশস্ত্র সৈন্য। পধানমন্ত্রী হচেছন জনসাধারণের মন্ত্রী, তাঁর কাছে জনসাধারণ স্বর্বদা যেতে পারবে, এবং তিনিও জনসাধারণের কাছে যখন তখন যাবেন, তার মাঝখানে সশস্ত্র পহরী কেন 🔊 তাই বলতে বাধ্য হচিছ তিনি গণতান্ত্ৰিক দেশের পধানমন্ত্রী হবার মতন লোক নন, তিনি হচেছন ধনতান্ত্ৰিক দেশের মন্ত্রী হবার উপযক্ত লোক। এবং সেইজন্যই জনসাধাবণের সঙ্গে তাঁব যোগাযোগ নাই। তিনি কেবল আরো বেশী ক্ষমতা হাতে ष्यानवात ष्याना ष्याप्टेन करत्वाचन । देशदर्श्व भागरानत ष्यामरान ष्यामवा यथेन जारप्त विकरक ष्यार्ग्णानन करत स्वरण গিয়েছি, মন্ত্রীদের মধ্যেও কেউ কেউ আমাদেব সহযোগী ছিলেন, তখন যে আইন সেইগুলিকে এখনকার উপযোগী করছেন। ইংরেক্সের আমলে, সাহেববা, ছিল গণতান্ত্রিক দেশের লোক তাই তাবা পর্যান্ত ওঁদেব মতন এতটা নীচে নেমে আসে নাই। কিন্তু আমাদের সরকার যারা পক্ত পক্ষে কোন Subversive actionএ किছ करत नारे श्राफ मरन मरन किছ ভाবেন, ভाদের ও টেনে এনেছেন। over act ना शल, काक्षप्तांत বাইরের প্রাণ না হলে সেটা একটা offence হয় না; Jurisprudenceএব এটা হচেছ মৌলিক নীতি। এই সৰ মূল সত্য তাঁরা ছডে ফেলে দিয়েছেন এসবেৰ ধার তাঁরা ধাবেন না। ক্ষমতা পিয় তারা এতটা হয়ে উঠেছেন, যে সেই ক্ষমতার অধিষ্ঠিত থাকার জন্য যা খুসী করার চক্ষ্ লজজাও নাই। স্নতরাং এ আইন পাশ করতে দেওয়া উচিত নয়।

তারপর clause হতে তাঁরা বলছেন Security of the state, public order, decency of morality, এ সৰ অতি বাজে ওজুহাত, এরজনা ত সাধারণ আইনেই ধারা আছে। penal coded যথেষ্ট ধারা এ গুলির জনা আছে। এব জনা কোন Security Act দরকার নেই। Stateকে যারা বিপানু করবে, রাষ্ট্রকে যারা বিপেনীর হাতে তুলে দিতে চেষ্টা করবে বা সণত্র বিপুবেব পুচেষ্টা করবে, তাদের বিক্লছে Security আইন পুয়োগ করা যেতে পারে। কিন্তু যদি বিভিনু রাজনীতিক দলেব ক্ষমতা হরণ করবার চেষ্টা করেন, Security Actএর আওতায় ছলে বলে কৌশলে তাদের আটক রাধবার চেষ্টা করেন তবে তা অত্যন্ত হীন ও জবনা পদ্ম সন্দেহ তাই।

তারপর আজ আমরা দেখছি কি? সরকার দেশের জনু বস্ত্র ও বহু জরুরি সমস্যা সমাধান করতে পারছেন না। পরীগানের লোক ভাত কাপড় পাচেছ না। রোগে তুগছে অশিক্ষার জছকারে মগু রয়েছে। এ সবের পুতিকার তারা করতে পারেন নি। লোক জনাহারে মরছে কাপড়ের জভাবে জাছহত্যা করছে। কিন্তু তাদের হাতের Magistrate ও circle officer হারা report দেওয়াবেন যে না লোক জনাহারে মরেনি; এবং কাপড় রথেষ্ট বজুত ররেছে কাপড়ের জন্য কেন্তু দর্মাত্তই করে নাই। পুচলিত কথা জাছে ভাত কাপড়ের কেও নর কিল বারবার স্বোনাই।

Mr. SPEAKER: Please do not convert it in to a general discussion.

Sj. KANAI LAL DE: Speaker ৰহোগৰ আনি বা বনছিলাৰ, তাতে আনি বোৰাতে চেয়েছি বে সরকার বে ক্ষমতা হাতে পেয়েছেন, তাই ঠিক যত পুরোগ কয়তে পারছেন না আবার অতিরিক্ত ক্ষমতা কেন? এই sensed এটা relevant আবাদের সরকারেরও এই অবস্থা।

Mr. SPEAKER: All the other Speakers have used these aurguments, why are you repeating the same aurguments?

8j. KANAI LAL DE: আচছা আমি তাই বল্ছি ভাত কাপড়ের কোন ব্যবস্থাই ওবা করছেন না কেবল কিন নারবার গোঁসাই হবেন এ হতে পারে না। (A VOICE: किল খেনেন কই?) থাচিছই ত সর্বেদাই থাচিছ। জনসাধারণ আপনাদের কিল খেনে কাং হয়ে পড়েছে। তারপর নিব্রাচনের সময় আসছে। এই জন্য বেশী ক্ষমতা পাওয়া দরকার। এ সহজে দেশের যেখানে যাচিছ সেখানেই শুন্ছি নির্বাচন স্থামীন ভাবে হবে কি? বহু লোক বল্ছে——ভাট দিতে যাব ∤ কিন্তু সরকারী কর্ম্মচারীরা, কংগ্রেসী লোকেরা বলছে, ভোট যদি তাদের না দেও তবে পুলিসে ধরিয়ে দেবে। সেইজন্য আবার বলছি Security আইন পাশ করে যেন সেই কাজ না করেন।

তারপর' সংবাদ পত্রে পর্যন্ত কোন কথা লিববার জো নেই। যে সব সংবাদ পত্র সরকার পক্ষে, তাদের তারা patronise করছেন আর যার। তাদের বিপক্ষে, তাদের টুটি চেপে ধরছেন। একটা সংবাদ পত্রের কথা জানি। লোক-শেবক সেটা জন সাধারণের পক্ষে যা কল্যাণজনক, তাই তাতে ছাপা হয় এই কাগজে কিছু দিন যাবৎ সরকারের আণ্রিত পোষণ, স্বজন-পুীতি, এবং বছু বাছবদের এনে কাজ দেওয়া এবং সরকারের অপরাপর বহু দুনীতির ধবব দলিল পত্রাদির নকল সহ কিছু কিছু পুকাশিত হয়েছে। সেই জন্য এই কাগজে সরকারী বিজ্ঞাপন দেওয়া বহু হয়েছে, যদি ও এটা ৩।৪ বছরের কাগজ। আর একটা কাগজ জন-শেবক মাত্র ছ মাস্ব যাবং বেবিয়েছে। পাদেশিক কংগ্রেসের সভাপতি অতুল্য ঘোষ মহাশয়ের কাগজ সেটা। এজন্য এবানেই তারা যথেষ্ট বিজ্ঞাপন দেন। কারণ এখন কংগ্রেস আর সরকার হরিহর আন্ধা--যদিও সেই কাগজেব Circulation নেই প্রস্যা দিয়ে কিনে সেই কাগজ কেহ পতে না।

ভারপরে Advisory Board যেটা করেছেন, সেটা কিছুই নয়। এই যে তিনজন ব্যক্তি নিয়ে Advisory Board করা হবে তার মধ্যে একজন হবেন হাইকোটে ব জজু বা জজু হরার মত উপযুক্ত আইনজ্ঞ। কলিকাতা High courts 10 years practice যাদেব এই রকম উকিল বা ব্যারিপ্টার বা এটনি যে কেউ হতে পারে। কাজেই তাঁবেদার লোক পাওয়া তাঁদের পক্ষে কিছুই অস্ত্রবিধা হবে না। আর দুজন যে কি ধরণের লোক হবেন তাব কিছু ঠিক সেই, কোন ডেপুটি ম্যাজিপ্টেট ও হতে পারেন বা জন্য কোন বায়ের হাঁও হতে পারে। তাবপর আরও একটা কথা। রাষ্ট্রের নিরাপত্তা রক্ষার জন্য কাজ করার অধিকার পুড্যেকের আছে। স্কতরাং ধীরে স্কল্প তেবেচিন্তে impartial wayতে বিচারকের দৃষ্টি নিয়ে আমাদেব বিচার করতে হবে। আমাদের দেশে High Court Supreme Court এর ক্ষ্মতা এখনও অব্যাহত আছে। স্কতারং আমার মূল বক্তব্য হচেছ হাইকোট জজদের মত উপযুক্ত ব্যক্তি নিয়েই বার্ড গঠন করা উচিৎ ছিল। বহু জন্যায় সরকার কর্ত্তক উপেন্দিত হলেও এই সমন্ত বিচারারয়ে এবনও স্থাবিচার পাওয়া যায়। পরিপোদে আমি এই কথাই বলব যা কিছু করবেন তেবেচিন্তে ক্ববেন, haphazardly কিছু করা উচিৎ নিয়ে। Security billbi circulate করা উচিৎ ছিল। আপনারাই জানেন। এই ক্ষ্মতার সহাবহার করলে দেশকে আপনারা আনক্য এগিয়ে দিতে পারতেন। রামরাজ্যের তিন্তি স্থাপন করতে পারতেন। এই বলেই আমি এই বিলের দৃচতারে পুতিবাদ করছি এবং আবারও এই বিল পুত্যাহার করবার জন্য সরকারকে আমি অনুব্রাধ করছি।

Janab A. M. A. ZAMAN: মাননীয় স্পীকার মহোদয়, আজকে কিছুদিন যাবং বজুতা শুনছি এবং তাঁদের attitudeও দেখুতে পাচিছ। তাঁরা Assemblyকেও platform হিসাবে ব্যবহার করারর চেটা করছেন। এবং সেইভাবেই বজুতা দিচেছন। এবং বাহিরে যেগুলি পূচার করতে পারেন না সেগুলি এখানে নিরাপদেই করছেন। আজ পর্বান্ত তাঁদের মুখ খেকে এই বিলটার সমর্থনসূচক কোন কথা শোনা যাবনি। আপানি নির্বাচনের তো আর বাতা এ৪ বাস আছে; ভখন তো তাঁরা গদিতে বস্তে পারবেন। আনার বজব্য হচেছ, ক্ষরতার ববে তাঁরা যদি বুখতে পারেন এই বিলের কোনকাপ পুরোজনীরতা নাই তবে তাঁরা ইছার সংশোধন

ৰুৱতে পারবেন। বে কাছটা একদিনে হতে পারত ভারজন্য ৩ দিন নষ্ট করে লাভ কি ? আমরাও একদিন opposition ছিলাৰ এবং তথনকার মত opposition আৰু বাংলাদেশে হবে কিনা সংলাহেয় বিষয়। সেই সময় প্রত্যেকটি memberই বন্ধুতা দিতেন না, আমরা ঠিক করে নিতাম আমাদের মধ্যে কে কে বন্ধতা করবেন। এই Security Billএর দরকার আছে কি নাই তা বেশ ভালভাবে চিন্তা করে দেখন। আপনানা प्रभारक कि **भवशात मर्था एकरल पिरा**ष्ट्रम छ। এकी ठिछा करन प्रथम। कलकालाय किछ किछ शीलमाल হয়েছে তা অবশ্য স্থীকার্যা। কিন্তু প্রত্যেক স্থানে আপনারা propaganda করে Governmentএর পৃত্তি जनगांशांत्रभाव ग्रां । একেবারে ভেক্সে দিচেছन। সবই ভগবানের ইচছা: ২।৪।১০ বংসর পরে কি হবে জানি না। তখন আপনার। বাদ কোন দিন গদিতে বসতে পাবেন তবে আপনাদের উপর কি দায়িত্ব বর্তাবে তা একট্ চিন্তা করে দেখন। Public meeting করে উত্তেজক বক্ততা দিয়ে জনসাধারণকে আপনার। কিভাবে কেপিযে তুলচেন তা এ ট চিন্তা করে দেখন। বিল সম্বন্ধে জ্বোতি বস্তু অনেক কথা বলেছেন। অনেক বড় বড় কথা। কারণ, এই িল পাস হলে নাকি গণতন্ত্রের পরিচালনার অস্ত্রবিধা হবে। গণতন্ত্রের নামে তো অনেক কিছুই কর। দরকার। জ্যোতিবাব রাশিয়া এবং চীনের কণা উল্লেখ করেছেন, কিন্তু আমরা জ্বানি চীনে এখনও পগতিমূলক কিছু হয়নি। রাশিয়ার কথা যদি বলেন তবে বলতে পারি 'মেখানে অক্টোবর থেকে আগষ্ট এই দশ মাসেব মধ্যেই ৩০ হাজার লোককে কয়েকটা province থেকে চাঁটাই করা হয়েছে এবং ৯০ হাজার লোককে জৈলে রেগে प्पंजा श्राहर कार्ष्य यह Government यि वह 8 मार्ग्य बनाउ जीव नश ना श्रा जरत जिनि नमा करत রাশিয়ার অবস্থা একটু প্তাক্ষ করে এলে ভাল হয়। তারজন্য তিনি সরকারের নিকট অনুমতি প্রার্থনা কবতে পারেন এবং আমরাও সরকারকে ব'লে ক'য়ে তাঁর যাবার জন্য aeroplane ইত্যাদিব ব্যবস্থা করে দেব। कारखरे जामि वलि Security Billag महकार वर: (महा जनाना मकरलरे जारनन। जामारमह मामुरन election, ञ्च्छाः (मर्गन गान्धि तकाग्र ताथा जाशनारमत मिक श्रिरक रायम मत्रकार आगारमर मिक श्रिरक अ তেমনি দরকার। যে Governmentই श्राक्क ना क्ला, দেশে সর্বতোভাবে শান্তি বজায় বাগতে হবে। এবং **उपक**ना पार्टेन्त्रियु पत्रकात । किंखु प्राप्तनात्मत कोङ (शटक कथेटना कोन कथा त्यांना यांग ना । प्राप्ति प्राप्त বেশী সময় নেব না; এই Housecs Election platform হিসাবে আমি ব্যবহার কবতে চাই না। জনসাধারণের কাছেই আমার বক্তব্য বলর। আমি শুধ অনুরোধ করের আপনাবা একট চিন্তা করে দেখুন আমি যা বলাম তা ঠিক কিনা। আজকে আমাৰ হেমন্ত দাদা একটি কথা বলেছেন। আমি ৩৭ তাঁকে এটুকু বন্তে চাই কলকাত। নিয়ে বাংলাদেশ নয়, বাংলাদেশের আবও অনেক অংশ আছে। এখানে আপনাবা স্থবিধা কৰতে পারেন তা আমবা জানি। দর্ভাগ্যই হোক আব সৌভাগ্যই হোক, বাংলাদেশ আজ বিভক্ত। দেশবিভাগজনিত উष्डिकात क्रमा जातक refugee विश्वास वाराष्ट्र, विहा जमश्रीकार्य। পूर्वश्रविकत्रिक programme जनुगारा Communist Party, Socialist Party এবং কৃষক-পূজা-মজদুর পার্ট তাদের প্রলোভন দেখিয়ে ক্ষেপিয়ে जुलाइ। कृष्ठिशत मद्दक्ष निवनाधवाद जाँत statement এর এक स्नामशास वलाइक त्य, त्मशास Leader হিসাবে কেউ ছিল না। Leader না খাকলে বিশঙ্খলা সৃষ্টি হতে পারে। কলকাতায়ও যখন procession হয় তখন Leader কেউ থাকেন না। দোতালা তেতালা restaurent ও Soda Fountainএ বনে তাঁর। টেলিফোনে খবর নেন। এই তো আছকে আমাদের Lenderদের অবস্থা। এইভাবে তাঁরা দেশকে রুগাতলে দেবার চেটা করছেন। এইসব থেকে বিরত থেকে যাতে দেশে পক্ত শান্তি বন্ধায় থাকতে পারে তাই কব। উচিত, এই আমার বক্তব্য। নানান সমস্যায় দেশ অর্জরিত, সেইসব সমস্যার সমাধানের দিকেই আমাদের দৃষ্টি (मध्या উठिछ। গণতয়ের নামে অনেকেই আজকাল চীৎকার করছেন, সেইসব এখানে বলা অবাস্তর হবে, আমি তাই বলব না। গণতছের মানে অধিকাংশ লোকেই জানে না। গুণ কতকগুলি বড় বড় লোক এই ক'রে Election এ দাঁড়াবার চেষ্টা করছেন। আমি বলুছি আপনারা পুড়খানুপুড়খরূপে বিচার করে নিজেদের viewpoint नागरन त्रत्थ नविषक बक्का करत जननत रहान। वर्खमारन public opinion mobilise करवाद (DE) कर्डिन विक्रिन propaganda (कोनन जनगर्न क'रत। (गरेक्रनारे जाता वित्ये करत Securty Billএর পরকার আছে এবং তা না হলে শান্তি বন্ধায় शাক্ষের না। Electionএর সময় শান্তি বন্ধায় রাখতে इ'रम এই विरमत मतकात-এই व'रम खाँवि स्पष कति।

8j. PRAMATHA NATH BANDYOPADHYAY: विदेश স্পীকার স্যার, এই Security Bill নাবচাএত কুখ্যাত বে, এর নাব ভন্নেই আবরা দাতেকে উঠি। এবন এক সবর ছিল বে, এই

Security Billes नात्म जानात्मत जाठक द्याठ वदः Security Billes कना जामना जतम मुर्जान नश করেছি। বিনা বিচারে অনেকে আটক থেকেছে এই বিলের জন্য। এমনি এই নাম যে এখানে স্বর্গরাজ্য হলেও এই Security Bill আতত উৎপাদন করত। কলেরা, বগত প্রের; স্বর্গনালা হলেও আতত উৎপান হর' टिमनि এই Security Bill त्नहेतकम सत्रत्व अकते नाम। आभत त्मवि এই यে, Government यनि ভালভাবে চলত, Government বলতে আমি সবকাৰী কৰ্মচারীদেবও বোঝাচিছ, তাহ'লে হয়তো এই Security Billএৰ প্ৰয়োগ দৰকাৰ হোত না এবং লোকে নিশ্চিন্ত থাকত এই তেবে যে, সবকাৰ ও সবকাৰী কৰ্মচাৰীৰা এত ভালভাবে রাজ্য শাসন কবছে যে, এই আইন কখনও খাবাপভাবে প্রয়োগ কবা হবে না। কিন্তু এই Security Bill যাঁরা পুরোগ করবেন তাঁবা সেই বিটিশ আমলেবই পুলিগ কর্মচারী; সেই পুলিশের কোন পরিবর্ত্তন হয়নি। ইংরাজ কর্তৃক রাজ্য শাসনের সময় পশিশের যে দুর্নীতি ও অত্যাচার ছিল সেইসর এখনও আছে। যাঁদের যার। এই Security Bill কার্য্যে পরিণত হবে তাঁরা যদি ধারাপ হয়, তাঁদের যদি সংশোধন করতে পারা না যায় ভাহ'লে Government হাতে এইরূপ দায়িছপর্ণ কাজ নেওয়া আমি অন্যায় ব'লে মনে করি। আমি বন্ছি Security of the State কারা নষ্ট কবছে, কে নষ্ট কবছে প এধানকার Administration, রাজকর্মাচারীদেব দারা লোকেব মনে অসজ্যোষ ধুমায়িত হচেছ, এবং লোকে যদি সেই অসভ্যোষ প্রকাশ করতে যায় তহিলেই ধাঁর। অসভ্যেদ স্মষ্টিৰ কাৰণ তারাই তাদেব জেলে পূবে দেবাব চেষ্টা কবেন। আজ বাঙ্গানীর পেটে ভাত নাই, পরণের কাপড় নাই, এবং বর্ত্তমান administration এর চতুদ্দিক দুর্নীতিতে ভবে গিয়েছে এবং ডার ফলে লোকের মনে অসম্ভোঘেৰ ভাৰ প্ৰলভাবে প্রকাশ পাচেছ। তাঁর। যদি তাঁদের অভাৰ অভিযোগ শংক্ষে কিছু बलटा यान, তাহলে তাদেব वर्छमान Security Act अनुगारत धत्रवाव गञ्जावना तरप्रट्छ।

আজ বাংলার প্রায় প্রতিটি জেলায় যে রকম খাদ্য পরিস্থিতি চলেচে, এবং বর্ত্তমানে বাংলার প্রায় সমস্ত জেলাতেই বেশী ধান উৎপনু হবাব সন্তাবনা নাই এবং দুজিক হবাবও ধুব আশক্ষা রমেচে, এবং লোকেব মন ধুব অসন্তই হয়ে বয়েছে নানা কাবণে। আমি খাদ্য বিভাগকে পূর্বে বলেছিলাম, এবং কতকণ্ডবি জক্ষী বাবস্বা অবলম্বন করবার জন্য বিশেষভাবে অনুবোধ করেছিলাম, কিছ সেই সমস্ত ব্যবস্থার কোনটিই নেওয়া হয়নি ববং তার বিপরিত ব্যবস্থা হয়েছে। আমার জেলাব অবস্থা সম্বন্ধে দু-একটি কথা বলতে চাই। সেখানে চৈত্র বৈশাপ মাধ্যে মধন গরীৰ চামীরা ধান বিক্রম কবে দেয় তখন সেই সময় গভর্ণমেন্টের তরক থেকে একটা bonus দেশর ব্যবস্থা আছে, কিছু মখন bonus দেওয়া হ'ল তখন দেখা গেল যে এই সমস্ত ধান বড়লোকের বাডীতে চলে গিয়েছে।

Mr. SPEAKER: আপুনি যা বলছেন, এগুলি কি বর্ত্তমান বিলের বিষয় ?

8j. PRAMATHA NATH BANDYOPADHYAY : दा. এই अमराजाप लांत्कात मरन रहन जारम, এবং লোকে কেন এই অসন্তোম প্কাশ কবে ? এবং তা কবলে এটা বিলেব আওতায় এসে পডে। আজকে ৰড়লোককে এই যে bonus দেবাৰ ব্যবস্থা কৰেছেন, তাতে গৰীৰ লোকদেৰ মনে অসম্ভোদ সষ্ট হতে পাৰে এবং তারা যদি মিছিল করে বক্তৃতা দিয়ে তাদের অসন্তোম প্রাণ করেন তাহলে তাদের উপর গুলী চলবে এবং তাদের জেল দেওয়া হবে। কাজেই গভর্ণমেণ্টের উচিৎ যাতে এই অসপ্তোম দেশ থেকে দূর হয় তার ব্যবস্থা করা। এই সমস্ত অসভোদ দুর কববার জন্য আপনাদের হাতে যে সমস্ত ক্ষমত। রয়েছে এবং আপনারা যে সমস্ত बारका অবলম্বন করেছেন তা মোটেই কার্য্যকরী নয়। আপনার। নিজেরাই দেশেতে অসম্ভোচ স্বাষ্ট করবার ব্যবস্থা করছেন। আজকান গভর্ণ মেপ্টের অফিসে দেখাযায় দেওা য়ালে বেশা আছে ''কাউকে বুম দিও না। বুম যদি কেউ চায় তাহলে উচ্চতর কর্ম্মচারী বা Collectorকে ভানাও।" यम पिও না বলা হচেছ কিন্তু দেখা यात्र युप আগের চেয়ে এখন বেশী পরিমাণে নেওয়া হচেছ। সম্প্রতি কিছুদিন পূর্বেক কাঁখির উপকূলেতে একটি নৌকা লুঠ হয়, এবং দেখানকার কভিপয় স্থানীয় গ্রামবাদী এই লুঠ কার্য্যে লিপ্ত ছিল। যাদের মাল চুরি যায় তারা বহু টাকা বরচ করে সেখানকার ৪০টি ঘর search করবার জন্য search warrant বের করে নিয়ে পুলিশের কাছে গেল। তারপর দেখা গেল পুলিশ, যাঁরা search করতে গেলেন তাঁরা, অত্যন্ত অসন্তোমের সহিত চার পাঁচটি মর search করে কতকগুলি জিনিম উদ্ধার করলেন, তারপর বাকী ঘরগুলি আর search করলেন না কারণ তাদের কাছ থেকে মুঘ বেশী পাবার জ্পন্য। এই রক্ম মুঘবোর যাদের হাতে রাজ্যশাসনের ভার দেওবা হরেছে, তাদের উপর যদি আবার Security Actএর ভার দেওয়া যায় তাহলে তার। আরও কত পুকার অত্যাচার করতে পারে, সেটা একটু বুরে দেখুন।

- Mr. SPEAKER: We are not discussing the General Security Act. Arguments are being repeated over and over again on the Security Act. Will you kindly confine yourself to the amendments which are before us and show as to how these amendments are affecting the present Bill?
- 8j. PRAMATHA NATH BANDYOPADHYAY : আমি বলতে চাই গভর্ণমেণ্ট কর্মচারী যারা tends to incite তাদের এই Security Act অনুসারে আটকে দিতে বলছি।
- Mr. SPEAKER: The Security Act is already there. Now the only relevancy would be to show that these amendments ought not to be made in the Bill itself.
- 8j. PRAMATHA NATH BANDYOPADHYAY : আপনার। দেশের যদি পুক্ত শান্তি ও নিরপতা চান তাহলে আপনার। এখনও এই সমত্ত corrupt গভর্ণমেণ্ট অফিসারদের ধরবার ব্যবস্থা করুন।

Security Actus section (4)তে যেটা বলা হয়েছে সেটা এই সমন্ত dishonest officerres বেলার যদি apply করেন তাহলে বুঝতে পারব গভর্ণ মেণ্ট একটা কিছু করলেন। আপনারা section (4)এ এই क्या वरनाइन त्य "No prohibition, restriction or disability imposed by or under this Act unless otherwise expressly provided by an order made by [the IState Government or by any officer specially authorised by the State Government in this behalf shall apply to anything done by or under the direction of any public servant acting in the course of duties as such public servant" এই সমন্ত public servants power misuse করবে, তারা যা ইচছা তাই করবে। এবং এই সমস্ত অফিসারগণ হলেন ইংরাজ আমলের বা ইংরাজগণ এদেশ থেকে যাবার আগে যাঁদের বেখে দিয়ে গিয়েছেন তাঁবাই; স্থতারং আমাদের মনে একটা সন্দেহের ভাব জাগরিত হওয়া স্বাভাবিক। তাঁরা Police Departmentএব জন্যই এই সমস্ত ব্যবস্থা করছেন, তাঁদের মনে ভয় পেয়েছেন যে, যদি এই  $\operatorname{Act}$  না হয় তাহলে দেশে অবাঞ্জকতা সৃষ্টি হবে। এবং এই Actএর স্থবিধা নিমেই গভণ্যেপ্টের বিবোধী লোকদের আটক বাধবাব ব্যবস্থা হচেছ। আমি জানি ঐ দিকের দল ভারী ও ভোটের জোরে এই Act আইনে পবিণত হবে, তথাপি আমি বলব আপনার। যে Administrative Board গঠন করেছেন, এই Administrative Boardএর ভিতর আপনারা একজন High Courter Judge বা এমন উচ্চপদস্থ ব্যক্তিকে নিন। আমাদের দেশে বছ উচ্চপদস্থ, শিক্ষিত ব্যক্তি আছেন, তাঁদের নিন। তা নাহলে এই রকম কতকগুলি বাজে লোক, যাঁরা কেবল গভর্ণমেণ্টকে support করে যাবেন, তাঁদের নিয়ে কখনও ভালভাবে কাজ চলতে পারে না।

বর্ত্তমানে আমাদের দেশে যে গভর্ণমেণ্ট, সেটি সকলের ভুলের জন্যই হয়েছে। এবং এই ধরণের গভর্ণমেণ্ট হয়েছে বলেই আজ সকল লোকের মনে এত ভয়। Democracy এই constitutionএ ধাতদ হয়ন। যে Government হাতে নিয়েছে তারা Englandএর Labour Government নয়। সেখানে গভর্ণমেণ্টের অপর দলের লোককে বিনা বিচারে আটক বা detain করা হয় না। কিছ আমরা ততটা democracy পাইনি। আমাদের মন্ত্রী মহাশ্মদের মন এত উচচ হয়নি যে তাঁরা সব কিছুর উপর্বাধিকে নিরপেকভাবে কাজ করতে পারেন। এবং সেই জন্য তাঁদের হাতে যদি আরও ক্ষমতা দেওয়া যায় তাহলে তাঁরা বে সমন্ত অকার্য্য করছেন, তার চেরে হয়ত আরও বেশী ভবিষ্যতে করবেন।

Dr. SURESH CHANDRA BANERJi: মাননীয় শ্লীকার মহোদয়, এই Security আইন যধন প্রথম পাস হয় তথন এই বিলের উদ্দেশ্য ছিল অন্য। আমরা বলেছিলাম যে সাম্পুদারিকতা এবং চোরাকারবারী বন্ধ করাই এর উদ্দেশ্য। এই দুইটা ছিল Security Billএর প্রধান উদ্দেশ্য। । এই দুইটা ছিল Security Billএর প্রধান উদ্দেশ্য। । এই দুইটা ছিল বিশেষ উদ্দেশ্য Black Marketing ব করা ও communalism বন্ধ করা এবং এর দরকারও ছিল। কারণ আমরা যধন স্বাধীন হই নাই, তার আগে থেকেই সাম্পুদারিক বন্যা দেশের উপর দিয়ে বয়ে গিয়েছিল এবং এ অভিজ্ঞতা সকলেরই আছে। তারপর মুদ্দের সময় থেকে Black Marketing চলেছিল তা বন্ধ করার প্রয়োজন আপনার। বর্মে উপলব্ধি করছেন। এই দুইটা বন্ধ করার জন্যই West Bengal Security Bill প্রথমে পাশ করা হয়। এবং এই

প্ৰীচা বছ করার অন্য যদি এই আইনটা ঠিকভাবে প্রযুক্ত হত, তাহনে এতদিনে বাংলার চেছার। সম্পূর্ণ বন্তুলে বেত। ্বিত্ত দুৰ্ভাগ্যৰশত: আমাকে বল্তে হচেছ ৰে এই উদ্দেশ্যে এই আইনটা শুৰুক্ত হয় নাই বরং উল্টা উদ্দেশ্যে এইটা প্রয়োগ করা হয়েছে। যেমন আমি জানি, গত বংসর February মানে ঘর্বন সাম্প্রায়িক দালা হয় তথ্য এমন বহু ক্যাঁ ছিল যারা সাম্পুদায়িক দাঙ্গা বন্ধ ক্রবার চেটা ক্রেছিল কিন্তু Government তাদেরই বন্দী করে ফেলেছিলেন। এই ধরণের report আমি আমাদের মুধ্যমন্ত্রী মহাধ্যকে লিখিতভাবে দিয়েছিলার ৰে এই সৰ লোককে আমি জানি, ওরা পূাণপণে চেটা করেছিল যাতে সাম্প্রায়িক দাঙ্গা না বটে, যাতে ছিল্ল মসলমান শান্তিপূর্ণ ভাবে পাশাপাশি বাস করতে পারে। যারা দাস। করেছিল ভাদের Government কিছু করেনি কিন্তু যারা তা বন্ধ করতে চেষ্টা কবেছিল Government তাদেরই নিয়্যাতন করেছেন। স্থাবার এই রক্ষ reports আছে, যারা Black Marketing করে, বেশ বড় বড Black Marketeer, তালের বিক্তম Government কিছু করেনি বললেই চলে কিছু যাবা Black Marketing বন্ধ ক্বতে চেট করেছে তাদেরই উপর এই আইন প্রয়োগ কবে নানাভাবে নির্য্যাতন করেছেন। এই বক্ষ বছ report আমার কাছে এলেছে: স্রতরাং যে উদ্দেশ্যে এই আইনটা হয়েছিল সে উদ্দেশ্যে এটা প্রয়োগ কবা হয়নি। এব আগে আনার বছ জ্যোতিবাব তাঁর নিজেব ব্যক্তিগত অভিজ্ঞতার কথা বলেছেন। আমি জানি তাঁদের সহক্রমীরা এই আইনের আওতায় পতে নির্ব্যাতন সহ্য করছেন। পামি জানি বছ লোক, যাবা নিরীহ, তাদের এই আইনেব জাওতায় পড়ে নান। রকম নির্য্যাতন সহ্য করতে হচেছ। পুলিশের হয়ত কার উপর আফোশ আছে কিছা জন্য কারণে পুলিশ তাকে পছল করে না, অমনি তাকে ধবে নিয়ে গেল; সতা হক্ মিধ্যা হক্ একটা confession আদায় করে নিল। এই রকমভাবে ধবে নিমে গিমে তাকে যতদিন ইচ্ছা জেলে আটকে রাধলো এবং পরে যধন দেখা গেল যে তার বিকলে কিছু নাই তথন তাকে আধমরা অবস্থায় ছেডে দিল। গত দুই বংসরের মধ্যে এই রক্ষ বছ महोल वटिंग्ड्रा आमि अपनक मृद्रोत्ख्व कथा आमारमत शुधानमञ्जी महानगरक क्वानित्य जिलाम।

তারপর এগন কানাইবাবু একটা বভ কথা বলেছেন যে আমি যে জায়ণা থেকে গাঁড়াবো মনত্ব করেছি, আমার বিরুদ্ধে যাঁরা কংগ্রেস প্রাথী হবেন বলে ভলেছি, তিনি আমার সহকর্মীদের ডেকে বলেছেন যে দেখেছ Security Act আছে, এই Security Act Dr. Banerji পর্যন্ত রক্ষা পাবেন না তোমরা ত তার সহক্ষী; আমরা Governmentএর লোক, তাঁব কাজ করি, আমার বিপক্ষে গেলে বেশীদিন বাইরে থাকতে হবে না। এবং এই কথা পুতিনিয়তই আমার workerশ্বা আমাকে বলে থাকে। ভগু এখান থেকে নয় নানা নির্বোচন ক্ষেত্র থাকে এই সংবাদ আমার workerশ্বা আমাকে বলে থাকে। ভগু এখান থেকে নয় নানা নির্বাচন ক্ষেত্র থাকে এই সংবাদ আমার অতাম করেছে। আমার workerশ্বার নির্বাচনের পরে আবার তাদের Security Act এরা হচেছ। অতার কানাই বাবু যা বলেছেন যে আমাদের সামনে যাঁরা আছেন তারা বলে হাসতে পাবেন কিন্ধু ভগু হেশে এই সাতাকে উভিয়ে দেওয়া যায় না। স্থতবাং আজ electionএর পূর্ণের্ব এই রক্ষম Security Actএর সংশোধন দেবে তয় হচেছ। আমবা মনে কবি এই ব্যবস্থায় যারা Governmentএর বিপক্ষে যাবে তাদের সহজেই ধরে রাথতে পাবের এবং শেইভাবেই এই আইনটা পুয়োগ হবে ও হচেছ। তার ফলে আমার মনে এই ধারণা দৃচ্দুল হয়েছে যে কাউকেই বিনা বিচারে আটক রাথা ঠিক নয়। তাঁরা ধরতে পারেন তারপর বিচার করতে পারেন, কিন্তু বিনা বিচাবে শীর্মকাল আটকে রাথা ঠিক হবেন।।

এখানে কথা হচেছ যৈ তার একটা substitute থাকৰে অর্থাং পুকাশ্য আদালতে বিচার হবে না, একটা Advisory Board ঠিক করবে। সে Advisory Board গানিকটা মন্ত্রল সাধন করতে পারে যদি সে Board ঠিক মতন গঠিত হয়। পুপমে, সেই Board এর সন্থাং যার বিরুদ্ধে এই অর্ডার দেয়া হয়েছে তাকে নিক্ষে উপস্থিত হয়ে কিয়া তার উকিলের সাহায়ে তাব যা বনবাব আছে তা বনতে দেয়া হয়। সেখানে এই ভাবের একটা বাবস্থা যদি থাকে তবে থানিকটা পুতিকার হওয়া সম্ভব। কিয় যে তাবে এই অপরিণত বিলে Advisory Board গঠণের বাবস্থাব কথা বলা হয়েছে তাতে Advisory Board এর পুর মূল্য হবে বলে বোধ হয় না। বলা হয়েছে তিনজন সভা নিয়ে বোর্ড গঠিত হবে। তিন জনের মধ্যে একজন হবেন গাঁর নাকি High Courts Judge হবাব যোগাতা আছে। Qualified to be a High Court Judge এ বিষয়ে কানাই বাবু যথেই বেনছেন এমন একজন ও হতে পাবেন যাঁর নান দশবংসব ধরে হাইকোটের Rolla আছে তিনি pr. etice ককন বা না করুন। He is qualified to be a High Court Judge. কিয়া এমন ও হতে পাবে তিনি High Courts প্রকালিত করতেন, practice ও ভাল, কিছে তার ব্যব্দনায়, He may be a badman, এই রকম একটা লোক যদি Boardaa chairman হয় তার

কাছ থেকে কি expect করা বার ? এমনও তো হতে পারে তিনি একজন yes man. গতর্ণবেপ্টের একজন ধানা ধরা। আর High Courtএ বার ভাল practice নাই সেই রকম লোকের গতর্ণবিপ্টের ধানা ধরা হওয়াই যাভাবিক। তারপর আর দু'জন'কিরকম লোক কি statusএর হবেন তা কেই আনে না। They may be honorary magistrates, they anay be Subdeputy Magistrate, এই রক্ষ তিনজন লোকের বারা গঠিত যে বোর্ড তার majority decisionএর মূল্যই বাকি এটা কেবল মানুঘকে ধোকা পেবার জন্য একটা উপায়। গতর্ণবেপ্ট তাঁদের মনমতন লোকের বারা বারা innocent লোক তাদের নির্যাতন করবার জন্যই এটা করছেন। সেই জন্য আমি পুঝাব করেছি তিনজনই High কোটের জ্বল হওয়া উচিত।

মানুষের fundamental right হচেছ যে তাকে কেউ বিনা বিচারে আটক করতে পারবেনা এই fundamental right সে বহু লড়ে আদায় করেছে। তার fundamental rightই হচেছ এই যে গভর্ণমেন্ট খামবেখ্যালি ভাবে কাউকে আটক করতে পারবে না সেই জন্য বিচার চাই by High Court Judge. আজু মানুষকে যখন তার এই মৌলিক অধিকার থেকে বঞ্চিত করা হচেছ তখন তাব একটা উপযুক্ত substitute চাই। এবং সেই substitute যদি তিনজনই High Courtএর Judge হয় গতবে সেটাই best আর যদি তিন নাই হয় তবে অন্তত্ত: একজন High Courtএর Judge এবং বাকি দু'জন distinguished lawyers যাদের practice ও ভাল আছে এবং publicএর কাছেও স্থনাম আছে অর্থাৎ যাদের মানুষ বিশাস করে, শুদ্ধা করে। এই রকম ভাবে যদি বোর্ড গঠিত হয় তবে সেটা অনেকথানি নিবপেক্ষভাবে বিচার করতে পারবে বলে আমরা মনে করি।

তারপরে এই বিলে যা বলা হয়েছে তাতে যার বিরুদ্ধে order তাকে Advisory Boardএর কাছে কিছু বলতে দেওয়া হবে কি হবে না, অথবা তার উকিলকে কিছু বলতে দেওয়া হবে কি হবে না, তাব কোন উদ্ধেশ্য নাই। এতে আমরা সন্তপ্ত হতে পারছিনে। That probably depends on some Government officer. কিছু এটা ঠিক বুঝতে পারছিনে there must be explicit provision in the law. আইনে স্থাপ্ত নির্দেশ থাক। দরকার যে তাকে স্থাযোগ দিতে হবে। Personally নিক্ষে উপস্থিত হয়ে বোর্ডের কাছে বলতে পারবে, বা দরকার হলে উকিলেব হারা যা তার বলা দরকার তা বোর্ডের সাম্মে বলতে পারবে। আরো কথা আছে; যে যার বিরুদ্ধে নির্দেশ পেওয়া হবে তাকে সক্ষে সক্ষেই বলে দেওয়া উচিত কি কি তার অপরাধ। আমি নিক্ষে তিনবার arrested হয়ে detained হয়েছি কিছু তিনবারই যে order দিয়েছে তাতে আজে ও বুঝি নাই কি আমার অপরাধ। যে ground দেয়া হয় তার উপর কিছু নির্ত্ত হয়, কিছু কি বিবৃষ্ পূর্বি নাই কি আমার অপরাধ। যে ground দেয়া হয় তার উপর কিছু নির্ত্ত হয়, কিছু কি বিবৃষ্ পূর্বি নাই কি আমার অপরাধ। যান্মের কালে একটা ছাপান form police officerরা fill up করাত এবং সেই formটা সকলের উপরই সমভাবে প্রযোজ্য ছিল। স্মুডরাং আমার বিশেষ দাবি এই যে সে রক্ষ order দেয়া চলবে না। পরিস্কার ভাবে জানাতে হবে কি অপরাধের জন্য তার against order দেয়া হচেছ।

তারপরে যে তিনটি বিষয় statement of objects and reasonsএর ভিতর লেখা আছে। পুখম হচেছ formation of Advisory Board, second হচেছ prejudicial report এটার যে সংজ্ঞা তার অনেকখানি রদ বদল কবেছেন। বার বার কবে এই খসড়া পড়ছি আর ভাবছি কি dangerous করা হয়েছে। এখানে সকলেই মানবেন Security of the stateএর againsta যদি কেউ কাল করে তাকে ধরা উচিত। কিন্তু এই যে Public ordera সম্বন্ধ একজন report দিল police officer, যে তুমি Public orderaর against কাল করেছ, আমু তাকে ধরা হলো Any Police officer, a mere Daroga of a thana ভাকে detain করলে আমু Magistrate you have done something which is prejudicial to public order কালে কালেই এই যে public order এটা is a very vague term.

তারপরে সব চেয়ে সাংঘাতিক হচেছ The friendly relation with any foreign state এ নিয়ে Parliamental discussion হয়েছে আনোচনা হয়েছে, এ নিয়ে আমাদের আনোচনা করার অধিকার নাই একথা খাটে না। পূর্ব পাকিস্বানে হিন্দুদের উপর জুনুম হচেছ কিছা মুসলবানের উপর এখানে জুনুম হচেছ

সমূহতে লেঝানকার paperএ নিধ্ছে কিন্তু আমরা কিছু নিধনে That is enough to come under e clutches of this Act স্বভরাং আমি বলছি এবং পার্নাবেণ্টেও অনেকে বনেছেন it is a ngerous clause.

তারপর Permit সমতে আমার বক্তব্য হচেছ্ Trade unionএ যারা কাজ করে তারা এতকাল গতর্ণনেপেটর ছ থেকেই Permit নিয়ে আসতে। ১০ হাজার ৫ হাজার লোক কাজ করে কোনদিন কোন অস্থবিধা নাই, আজ হঠাৎ কি অস্থবিধা হলো গতর্ণনেপেটর যে powerটা দিরে দিচেছন অন্যত্র আর সেটা দিচেছন ক? যে নাকি manager of the works কলে কাউকে permit দেয়া কি না দেয়া সেটা তার ধেয়ালির উপর নির্ভর করে। Manager একজন লোকের উপর অসত্তই হলে তাকে Permit দিরে। It is a very dangerous clause. স্থতরাং এটা গতর্ণনেপ্টের না রেখে একজন ম্যানেজারের তে ক্ষমতা দিতে বিরত থাকুন। এতে আমাদের অনেক অস্থবিধায় পড়তে হবে ফলে শুমিক আন্দোলন তি গ্রন্থ হবে। এতে স্পষ্টই বোঝা যাচেছ্ এটার উদ্দেশ্য হচেছ্ আমরা যারা শুমিক আন্দোলন করি তারা যেন ভর্ণনেপ্টের প্রতিষ্ঠানে আর শুমিক আন্দোলন না করতে পারে।

(At this stage the house was adjourned for 15 ministes.)

# After adjournment.

Dr. SURESH CHANDRA BANERJI: माननीय न्यीकां मरशाय, जानि वलिखान त्य ermit দেওয়ার officer, District Magistrate কিয় State Government কিয় Commissioner f Policeda কাছ খেকে নিয়ে Manager of worksকে দেওয়া হচেছ তার ফলে শুনিকদের ববই ক্ষতি বে এবং এই সমস্ত জায়গায় শুমিক আন্দোলন করা বা trade movement করা অসম্ভব হয়ে যাবে। স্বতরাং য দিক থেকেই এই বিলটি বিচার করি না কেন, যে উদ্দেশ্যেই বিচার করি না কেন, কোন দিক দিয়েই ্যতি কুসমর্থন করার কারণ খুঁজে পাই না। যদিও আমি আগে বলেছিলাম যে জাতীয় জীবনে কখনও কখনও ecurityৰ পুরোজন হয়, এবং এই রক্ম একটা পুরোজন হয়েছিল ঠিক স্বাধীনতা লাভের পর যখন communaism's black marketeering were rampant. Communalism पतनक करने शिरवरक, किंद Black marketeering এখনও রয়েছে। গভর্ণমেণ্ট যেহেতু এই security Actএর বারা black marketeering বন্ধ করবার চেটা করছেন না, আমার মনে হয় আমাদের দেশে Security Actor আর শুয়োজন নেই। আমার মতে Security Actor সম্পূর্ণরূপে রদ করে দেওয়া উচিং। কোন স্বাধীন দেশের এই ধরণের Security Actor permanent feature করে রাখা democracyর পক্ষে খুবই অন্যায়। England, America প্রভৃতি গণতাম্বিক দেশে কোধাও এই ধরণের Act নেই অধচ আমাদের দেশে Security Act এक्ट्रो permanent feature of the country इत्य शक्त अहा ब्रव्हे अन्। आवि এই Security Actes কোন রক্ষেই সমর্থন করতে পারছি না এবং গভর্ণমেণ্টকে সনিবর্ণন্ধ অনুরোধ জানাচিছ ৰে এই Constitution এ যে Security Act হ্লেচে তাকে সম্পূৰ্ণরূপে রদ করে দিন। আমাদের যে সমস্ত নিরীহ কন্মী এই Security Actএর ধারা আটক হয়ে এখনও জেলের মধ্যে পচ্ছে তাদের বাইরে আসা এখন অভ্যন্ত প্রোজন। কারণ তিন মাসের পর আমাদের General Election হবে এবং সেখানে যদি free fair election করতে হয় তাহলে এই সমস্ত লোক, যার৷ রাজনৈতিক কণ্মী তাদের অবিলম্বে গতর্প-মেণ্টের পক্ষে ছেড়ে দেওয়া অবশা কর্ত্তবা। যদি তাদের ছেড়ে দেওয়া না হয় তাহনে আমাদের দেশে free fair Election হতে পারবে না।

যদি দেশে Security Act বলবং থাকে তাহলে যে সমস্ত লোক গভণিমেপ্টের বিরোধী হয়ে দাঁড়াবে তাদের বিরুদ্ধে নানা রকম মিধ্যা অভিযোগ এনে তাদের ধরে নিয়ে আটক রাধা হবে। আদি সেইজন্য পুনরায় বলছি যদি Security. Act বলবং থাকে তাহলে কোন পুকারেই free and fair Election হওয়। সন্তব নয়। মৃতরাং জন্য কোন কারণ থাক বা না থাক for the sake of free and fair election it is essential that the security Act must be abolished.

এই কথা বলে আমি আমার বক্তৃতা শেষ করছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I have heard with great interest the opposition that has been led by my friends on the left side I can understand the attitude of Mr. Jyoti Basu—although I may not agree with him—because he has been a persistent opponent to the Security Act.

Sir, even before I came to this Assembly in 1948, the Security Bill was proposed in this Assembly by my learned friend Dr. Prafulla Ghosh—he was then the Chief Minister. In that Security Bill there was provision for detention, on the one hand, and externment or internment, on the other. My friends opposite have been arguing all this time without their brief. No detention is provided for in the Act or in the amendments that we have put before you because detention now is governed by an Act of Parliament. This question of externment and internment—all these are provided for in section 21A.

But, Sir, when this Act was passed in 1948 with the blessings of Dr. Prafulla Ghosh, he said "It has been said that somebody else will come as Prime Minister, but whoever comes as Prime Minister or whoever goes, I say, at least for some time to come, the necessity of the Bill will be there. I again say that for some time to come the necessity for a Bill like this will be of the first magnitude." Therefore, I ask them, did they circulate the Bill which they passed in 1948? That happened before I came in the Assembly. No, they did not. They put it before a Select Committeeand that's all. They put this matter before the House without going through the circulation procedure and if you read the Act that was passed, then you will be satisfied that the provisions of the Act were much more stringent than they are here. Therefore, to any one of the Opposition-I am talking of the Opposition that is controlled by my friend Dr. Suresh Chandra Banerji-who says "We do not want this Act", I would say, when did they discover this, when did this wisdom come into their brain that they do not want this Act because, I feel, they think that their elections may be interfered with. I hope my friend Sri Hemanta Kumar Basu will forgive me if I repeat what I said the other day because four or five speakers have referred to the election in the course of the debate. They have said "Oh, you people are going away. Therefore, why bother about this" and so on and so forth. Therefore, if I say this is an election speech, I am not very far wrong. I find the second name in the Ayes List is that of Sj. Hemanta Kumar Basu. So, I hope he has learned wisdom by now. He tells us that his election and Mrs. Bose's election are pointers that the public are not with the Congress. May I give you, gentlemen, the report that I have just received of the election which has just taken place in the Burdwan constituency: Dr. Mahammad Hossain (Congress)—9,645; Janab Abul Hayat (supported by Communists, Hindu Mahasabha, K.P.M., Socialists, etc.)—2,572. Mr. Zaman has said that, after all, Calcutta does not form the whole of Bengal. There are other parts of Bengal which do not think in the manner in which Sri Hemanta Kumar Basu wants to interpret their election. He knows very well why the Congress did not put up any candidate. If he does not know, I am very sorry for the fact. It is the speeches of my friends like Kanai Babu which I do not understand-I am sorry because of my lack of intelligence. The only thing I understood in his speech was that he prefers British Government to the present Government.

SJ. HEMANTA KUMAR BASU: On a point of order, Sir-

Mr. SPEAKER: Is it on a point of order?

Sj. HEMANTA KUMAR BASU: স্পীকার মহোদয়, আমি দ্বিজ্ঞান। করতে পারি কি যে কারণে Congress Candidatecক দাঁড় করান হয়নি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am very sorry, I won't give in.

My friend Haripada Babu, of course, talked about everything else but not about this Bill. He talked about the Tramways Co., he talked about the food position. They are very important, of course, but he did not waste very much time over this Bill. Therefore, I will leave the Opposition members alone because I have understood exactly what they are referring to and how.

I will now take up the speech of Sj. Jyoti Basu because, I believe, that he is consistent in his opposition. He says he is not a Communist personally. So long as the Communist does not use the same procedure as the communalist, viz., of oppression, of force, of coercion, the Communist ideology would be welcome to many people, but in that matter, so far as I am concerned, I do not make any distinction between a Communist and a communalist in their application to everyday life. He says laws such as this really lead to violence. Possibly he is right, but I would like to know why, in the first instance, in 1947 laws were found necessary. I was not in office then, I was not in the Assembly, but this I noticed the first time I came to the Assembly-some time in January, 1948—that there was a good deal of disturbed feeling both in the Assembly and outside it. I heard there had been instances where firing had to be resorted to in order to quell the mob. That was not communal firingthat was not due to a communal disturbance, but there were other disturbances that led to the incidents. Therefore, I feel that violence certainly was not caused by law, but law was caused in order to prevent violence. There may be difference in approach between one person and another. One may think that perhaps no law is necessary-do not intern anybody, do not one. With great detain any anybody, do not extern and heavenly mercy we might get our opponents on to our side, but, I am afraid, I or my colleagues in the Cabinet or even in the largest group of members in the Assembly are not yet gifted with such a high moral fibre as to be able to display that atmosphere of goodwill.

Sj. Jyoti Basu has talked a lot about democracy and he feels that he is the greatest exponent of democracy. I have not heard of any democracy which makes a particular point of view to be forced on another and yet to be called democracy. Democracy, as I understand it—it may be that I may not convince him—is a system of life or administration which is carried on by adjustments, by mutual arrangements, by compromise, by give and take. Human constitution is built upon compromise—there is always an adjustment between one gland and another, one part of the body and another, as I have said before.

Mr. Zaman has said that in order to quell a disturbance, where 150 lives were threatened—Communist lives, of course—30,000 people were killed in 9 or 10 months and 90,000 people were arrested. I suppose those arrests were non-violent arrests—I do not think they really meant any harm or any hurt. Sir, I am mentioning these things because Sj. Jyoti Basu waxed eloquent about China, about Malaya and he said there are only two countries in the world where this sort of restraint takes place, viz., India and Pakistan. I deny that charge. But, in any case, it is certain that it is the Communist Party which has issued this statement that in order to prevent danger to 150 people, 30,000 people were killed in Canton only and 90,000 people were arrested. Sir, that is a type of democracy which does not suit him because it is a democracy in which 150 people can ask thirty thousand people to

There is one other statement which he has made. He said that the old Congress Government was against aggression of every type—

8j. JYOTI BASU: On a point of order, Sir. When something is being quoted against me, I want to know the source—where that statement came from that thirty thousand people were killed—who issued that statement—from where was it reported?

The Hon'ble Dr. BIDHAN CHANDRA ROY: This was a figure given by the Chinese Communist authority.

Mr. SPEAKER: I must point out to honourable members that they ought to understand what is a point of order and what is not a point of order. The point of order raised by Sj. Jyoti Basu is not a point of order. Now the position is this. The ordinary rule is that the Leader of the House is entitled to uninterrupted hearing apart from anything else. That is the first principle which we have to observe. The second thing is that there is a tendency to rise on a point of order when it is not a point of order, and I am compelled to ask these members to sit down. But if it is any other point—a point of privilege or a point of information—either the speaker yields and sits down or, if the speaker does not yield and sit down, you must wait till the conclusion of his speech.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Thank you, Sir. I was just going to say—when my friend Sj. Jyoti Basu interrupted my course of thought—I was just going to say that he said that in the olden days the Congress was against aggression of every type. I can tell him that the Congress today is against aggression of every type—whether it is an aggression coming from the Communist group or it is an aggression coming from the Communalist group. I maintain that this preventive Act is necessary for the purpose of preventing such an aggressive attitude on the part of any group of people because we in the Government and in the Legislature have got to think of the largest number of people and their security, and not merely of 150 people for whom thirty thousand can be killed.

Sir, with these words I oppose the motion for circulation of the Bill and ask that the Bill be taken into consideration. (Applause from Government benches.)

The motion of Sj. Jyoti Basu that the West Bengal Security (Amendment) Bill, 1951, be circualted for the purpose of eliciting opinion thereon by the 30th November, 1951, was then put and a division taken with the following result.

#### Ayes-14.

Abdul Aziz Ansari, Janab Mohamed Badrudduja, Janab Syed Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Sureeh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra

Bose, Srijukta Bivabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanal Lal Ghose, Sj. Bimal Comar Ghose, Dr. P. C. Sen, Sj. Debendra Nath

#### Noes-42.

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banarjee, Sj. Sushil Kumar
Bhattacharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath

Das Gupta, Sj. Khagendra Nath Dass, Sj. Kanailai Gayen, Sj. Arabinda Gomes, Mr. D. Gupta, Sj. J. C. Kazem Ali Mirza, Janab Shahibzada Kawan Jah Salyid Khuda Bukhsh, Janab Md. Mahammad Kased All, Janab Mahammad Sayeed Mia, Janab Mahanty, Sj. Charu Chandra Malti, The Hon'ble Nikunja Behari Majhi, Sj. Nishapati Majumdar, The Hon'ble Bhupati Mal, Sj. Iswar Chandra Mallok, Sj. Ashutosh Mandal, Sj. Annadaprasad Mandal, Sj. Krishna Prasad Mudassir Hossain, Janab Muhammad Siddique, Dr. Syed Murarka, Sj. Basantial Musharruff Hossain, Janab

Naskar, 8j. Ardhendu Sekhar Naskar, The Hon'ble Hem Chandra Panja, The Hon'ble Jadabendra Nath Pramanik, 8j. Rajani Kanta Raĥuddin Ahmed, The Hon'ble Dr. Roy, 7the Hon'ble Dr. Bidhan Chandra Roy, 8j. Jajneswar Roy Sarkar, 8j. Birendra Nath Roy Singh Sarker, 8j. Satieh Chandra Sen, The Hon'ble Pratulia Chandra Serajuddin Ahammad, Janab Shamsul Huq, Janab Sinha, The Hon'ble Bimal Chandra Zaman, Janab A. M. A.

The Ayes being 14 and the Noes 42 the motion was lost,

The motion of Sj. Charu Chandra Bhandari that the West Bengal Security (Amendment) Bill, 1951, be circulated for the purpose of eliciting opinion thereon by the 15th October, 1951, was then put and lost.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Security (Amendment) Bill, 1951, be taken into consideration was then put and a Division taken with the following result:—

#### Ayes-40.

Abduilah, Janab S. M.
Abdus Shokur, Janab
Banerjee, SJ. Sushil Kumar
Bhattacharyya, SJ. Shyamapada
Chakravarty, SJ. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, SJ. Radha Nath
Dass, SJ. Kanalial
Gayen, SJ. Kanalial
Gayen, SJ. Arabinda
Gomes, Mr. D.
Gupta, SJ. J. C.
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahamty, SJ. Charu Chandra
Maitl, The Hon'ble Nikunja Behari
Majhi, SJ. Nishapati

Majumdar, The Hon'ble Bhupati
Mai, Sj. iswar Chandra
Mailick, Sj. Ashutosh
Mandal, Sj. Ashutosh
Mandal, Sj. Krishna Prasad
Mudassir Hossain, Janab
Muhammad Siddique, Dr. Syed
Murarka, Sj. Basantial
Naskar, Sj. Ardhendu Sekhar
Naskar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Hem Chandra
Panja, The Hon'ble Dr. Bidhan Chandra
Rafluddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Roy Sarkar, Sj. Birendra Nath
Roy Sarkar, Sj. Birendra Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra

#### Noes-12.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Ghose, Dr. P. C. Sen, Sj. Debendra Nath

The Ayes being 40 and the Noes 12 the motion was carried.

#### Clause 1.

8j. JYOTI BASU: I move that in clause 1(2), lines 1 to 3, for the words beginning with "on such date" and ending with "appoint" the words "on 1st March, 1952" be substituted.

Mr. Speaker, Sir, the purpose of my amendment has been very clear to me but it has become clearer after the speech of Janab Zaman from the other side. I shall not refer to his abuses at me. I cannot compete with him with regard to that, I mean in vulgar abuses, which he levelled against me, but one thing he made very clear and that was that before the General Elections such provisions were necessary and with that end in view it was necessary to amend this particular Act in the way as has been suggested by the Hon'ble the Chief Minister because he says "We want to preserve law and order before the Elections". Such language is very clear to me at least. I know what it means and I know that it would have been difficult for the Hon'ble the Chief Minister or other members on that side of the House to point out this basic fact which Janab Zaman in his zeal has done. I am thankful to him for it.

Because that was my fear also that when I thought why the West Bengal Government was so keen on bringing forward such an amendment at this time of the year, it became clear to me that they wanted to enforce this law as soon as possible. Therefore when they say that by a notification in the official gazette they will appoint a day for its coming into force, I know that no time will be wasted and very soon, as soon as it will be passed, it will become an Act. Because just before the elections the Congress party wants that certain people belonging to the opposition who have challenged the Congress in the coming election should be watched and their movements should be restricted. I know what I am saying because for the last few months since the day when the High Court pronounced a judgment declaring these particular sections as ultra vires we heaved a sigh of relief, because upon many of our friends and comrades who were working in the trade unions, in the kisan movements such restrictions were not imposed, and they could move about freely to do their work. But now the Government feels that despite their propaganda machinery, radio, newspapers which they control through their advertisements and other means, despite all the money and funds that they will get from the Birlas and the Tatas and big landlords and jotedars like our friend, Mr. Khuda Bukhsh, despite all that, unless people in their democratic movements are restricted, it may be a little difficult for the Congress to win the elections. Therefore they intend to use these clauses, these amendments which they have sought to move today in order to enchain the liberty of the people in that manner. I know if we talk about elections the Chief Minister flares up and says, we are making election speeches. But I know that these amendments have been brought because elections are there, because otherwise they might have waited in decency, but they could not wait because their adversaries must be restricted in this manner so that they may win the elections. I maintain therefore there cannot be a free and fair election if such a law continues to operate in the State of West Bengal. That is not democracy. I have heard a lot from the Hon'ble the Chief Minister about democracy. But I say he does not know the A, B, C of democracy because he has not been taught that way. I have seen here how he treats his own colleagues and others.

- Mr. SPEAKER: Mr. Basu, I would request you not to cast reflection on other members and say he is ignorant.
- 8j. JYOTI BASU: What I said was that he had not been brought up to learn the A, B, C of democracy.
- Mr. SPEAKER: But that is worse still. If the same language is used with respect to other members they may take objection to it. Therefore I would request you to refrain from doing that.
- 8j. JYOTI BASU: Sir, parliamentary ways are different at different times, and we were used to speaking in that manner before. Since, howover, you say so, I withdraw that remark. But as I was saying, democracy means that election should be on adult franchise and that it should be fair

and free. But if the Government which possesses the power, the Congress party which is contesting the elections possesses the power to influence the Magistrates, police officers, Sub-Inspectors of Police and so on in order to restrict the movements of our people, it becomes impossible for us to participate in the general election. That is what Mr. Zaman has clearly pointed out as to why these provisions have been brought in. Therefore I have suggested an amendment, and if my submission is correct, keep it in abeyance till March, 1952 and that is not far off. Then when the new Government comes into being and if the Hon'ble Ministers think that they are going to get into power again they can publish this Bill by a notification in the official gazette and give effect to it. That is the purpose of my amendment.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I do not want to take the time of the House long. Hard words do not break any bones. Mr. Jyoti Basu says, I am ignorant of democracy. Let him be in that happy state of mind that he is right and I am wrong. But, Sir, he is illogical in his approach to this question, although he has jumped upon one expression of Mr. Zaman. Let me tell him in the first place that the result of the election that I have just announced where his group, the Krishak-Proja group and the Mahasabha group had all helped Mr. Hayat, yet without the operation of this Act and without any restriction the Congress has won. Therefore the Congress does not mean to win the coming elections with the help of this measure. Even if it is to go down without this help it is prepared to do so. There is no other way out of it.

The second point that I want to mention is that he is illogical because it is not a detention Act. The detention Act is still on the Statute which is a Central Act. Therefore if his reading is correct anybody can be detained and prevented from taking part in election without the effect of this Bill. Sir, this Bill only refers to the process of externment and interment of persons and detention is not the object of this Bill. Therefore I oppose the amendment of Si. Jvoti Basu.

The motion of Sj. Jyoti Basu that in clause 1(2), lines 1 to 3, for the words beginning with "on such date" and ending with "appoint" the words "on the 1st March, 1952", be substituted, was then put and a division called.

(When the division bell stopped ringing.)

Mr. SPEAKER: I think that I should apply the rule under which I should direct the members to rise in their seats in order to give their verdict upon the division. Divisions had been called and it has been found that the names of the gentlemen who have been opposing the Bill are the same. I wish to draw the attention of the honourable members of the House that under the regulations of the Speaker contained in page 92 of our Parliamentary Handbook "The Speaker may in his discretion instead of taking votes as provided for in Order 3(b) call on the Ayes or the Noes to rise in their seats and may thereafter, on counting the persons who rise in their seats, either declare the determination of the House or direct the division to be taken through the lobbies in the manner as provided for in Order 3(b)." I also find that that is the usual practice in the Central Parliament to take divisions. I also find the rulings of the Centre in which it has been stated clearly that that is a method of taking divisions if and when circumstances so require. To my mind it appears that in order to save the time of the House the members will agree that instead of sending on every division members to go to the Ayes lobby or to the Noes lobby, we shall

save the time of the House if I take recourse to this Regulation and ask the members to rise in their stats so that this division may be finished by this method more quickly than by the other method.

- 8J. BIMAL COMAR CHOSE: May I make a submission?
- Mr. SPEAKER: I may allow one gentleman to make submission because the thing seems to me so obvious that it does not require much argument. The discretion is there and the other method is more expeditious.
- 8]. BIMAL COMAR CHOSE: I do not urge that you have not got the power. My submission is this. You will remember that we had some similar experience some time ago also in this House and then also it was being suggested, when one member of this House, my friend Sj. Jyoti Basu, was calling a division each time on the Security Bill, that the time of the House could be saved if the House was not made to divide in the usual way but if you take the votes by members standing, but then even on that occasion while he was only one single member voting against all the members, it was felt so out of the ordinary procedure of this House that the Speaker-you were the Speaker-did not entorce that rule. Sir, I also want to make this submission that we find here whenever any disputd points arise you refer to rules that are in force in other Houses, for example, in the House of Commons or in Parliament in Delhi, but when we want to point out on certain occasions that practices other than what we follow here are existent in some other Parliaments, then you say "This is the usual practice in our House and we shall follow that" but when it goes against us, then we find that the practices which are observed in certain other Houses are tried to be enforced here. Sir, the consequence of your taking the votes by standing would be this that the names of the members would not be recorded. Will it be recorded or will it not be recorded, I want to know because on that hinges my argument. If you say that it will be recorded, then it will be practicable.
- Mr. SPEAKER: I may tell you that according to the ruling of the Centre the names need not be recorded.
- 8j. BIMAL COMAR CHOSE: If you do not record the names, then, Sir, it may so happen that in future occasions if there is any dispute as to what way a particular member had voted—here we are all elected representatives of the people and we might later on want to use before the electorate the evidence of the way in which we had voted—the only evidence would be the recorded proceedings of this House. So it may go very much against the interest of the members if this privilege which members enjoy is not allowed to them. Therefore, I submit, Sir, that when you yourself had not on a previous occasion allowed this procedure to be introduced when only one member was voting against a Bill in this manner, whereas this Bill is a much smaller one, I beseech you, Sir, not to introduce this procedure just for a few months that is left of this House.

The Hon'ble Dr. BIDHAN CHANDRA ROY: We are not waiting here to hear a lecture from him. If he has got a point of order, let him say so.

Mr. SPEAKER: Please be short. Nobody should interrupt him.

Sj. BIMAL COMAR CHOSE: You have every right to interrupt me. I was making on appeal to you, Sir, with a few months left of this House you should not introduce this procedure because we find particularly in this session there is some curtailment. At least we feel it, I do not know what you feel about it. There is some curtailment of the usual privileges of the members.

Mr. SPEAKER: I have understood your point. I do not for one moment wish to deprive any one....

Dr. SURESH CHANDRA BANERJI: Are your giving a ruling?
Mr. SPEAKER: Yes.

Dr. SURESH CHANDRA BANERJI: I shall say this that in that case you will compel us to leave the House.

Mr. SPEAKER: Please take your seat.

Dr. SURESH CHANDRA BANERJI: শীকার মহোদয়, আমরা ১৬ বংসর যাবং এই privilege enjoy করে আসছি। আপনি এই টুকু যে বলতে দিচেছন না, এটা বুব অন্যায় করছেন। আমরা Governmentকে বাঁধা দিচিছনা। আমরা অনেক consideration করেছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: কে consideration করেছেন। খালি বিরক্ত করেছেন। কে এপিনার consideration চায় ?

Mr. SPEAKER: For the simple question of procedure I would not like to create an impression as if there is any attempt on my part to take away the right of any member or of any group. The position is that each section of the House ought to take into consideration that the time element is always there. As a matter of fact if the parties point out to me as to what are the important amendments on which they wish to take divisions and if they point out to me that out of, say, 40 or 50 amendments, 4 or 5 or 6 are very important on which they should divide, I will certainly accommodate them. For the time being because there is no objection on this side of the House I am going to adopt the ordinary procedure today. But I would ask all the members seriously to consider as to whether they should help the Chair in saving as much time as possible. I would therefore once more appeal that you should select such of the amendments as you think are necessary. I have already allowed an amendment—a division to be taken not only on the ordinary circulation motion but also on the main consideration motion. It is taken for granted that those members who are opposed to the Bill entirely are opposed to every clause of it. Therefore, so far as the recording of their votes is concerned that recording is already there. I would appeal to them that, unless and until they take up this attitude that they shall delay the passage of the Bill, they will choose a few of them to be taken in the ordinary way. As a matter of fact the division is not denied. It is only the method by which the division is to be taken by the House that is for you to consider. I do not want to force upon them a thing which we have not been doing, but the Speaker's regulation is there and that is meant to be enforced, if the Speaker feels that a division is not called for and it is to be called only on what the Speaker considers important. When I deal with the amendments tomorrow I shall see how the divisions are being called. At the present moment, because it is now going to be 7 o'clock I do not want that I should force a decision just now, but I should reserve my right to take such action as may be necessary tomorrow, and I will invite the co-operation of all the sections of the House. I quite realise that if they wish to record their vote of protest by opposing the consideration motion and recording their protest, the protest has been sufficiently recorded. Now, I do not want to take any more time. Those who are for the motion will go to my left and those who are against the motion will go to my right.

(The division on slause 1 was then taken.)

#### Ayes-12.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati

Chatterjee, Sj. Haripada Choudhury, Sj. Annada Procad De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Ghose, Dr. P. C. Sen, Sj. Debendra Nath

#### Noes-39,

Abdullah, Janab S. M.
Abduls Shokur, Janab
Banerjee, SJ. Sushil Kumar
Bhattacharyya, SJ. Shyamapada
Chakravarty, SJ. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, SJ. Radha Nath
Das Gupta, SJ. Khagendra Nath
Dass, SJ. Kanalial
Gayen, SJ. Arabinda
Gomes, Mr. D.
Gupta, SJ. J. C.
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Mahanty, SJ. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majhi, SJ. Nishapati

Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mailick, Sj. Ashutosh
Mandal, Sj. Krishna Prasad
Mandal, Sj. Krishna Prasad
Mudassir Hossain, Janab
Muhammad Siddique, Dr. Syed
Murarka, Sj. Basantial
Naskar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pramanik, Sj. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Sen, The Hon'ble Bimai Chandra
Zaman, Janab A. M. A.

The Ayes being 12 and the Noes 39, the motion was lost.

# Dr. SURESH CHANDRA BANERJI: শীকার স্যাব, আর কতক্ষণ মিটিং চালাবেন।

Mr. SPEAKER: I am not proceeding any further. I shall only dispose of clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

#### Adjournment.

The House was then adjourned at 7-2 p.m. till 3-30 p.m. on Tuesday, the 25th September, 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legistative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 25th September, 1951, at 3-30 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 11 Hon'ble Ministers and 61 members.

#### STARRED QUESTIONS

(to which oral answers were given)

# Failure of Atlas Works to implement the awards of Industrial Tribunal

- •18. Janab SYED BADRUDDUJA: (a) Will the Hon'ble Minister in charge of the Labour Department be pleased to state—
  - (i) whether the awards of the Industrial Tribunal were implemented by Atlas Works;
  - (ii) whether 100 workers of the firm were discharged for their taking part in trade union activities; and
  - (iii) whether some of those workers were taken back who signed nonunion forms?
- (b) If the answers to (a)(ii) and (iii) be in the affirmative, will the Hon'ble Minister be pleased to state—
  - (i) whether at the instance of the Labour Directorate such steps were taken by the firm; and
  - (ii) if so, whether Government consider the desirability of preventing recurrence of this sort of advice from the Labour Directorate?
- MINISTER in charge of the LABOUR DEPARTMENT (the Hon'ble Kalipada Mookerji): (a)(i) No. The company failed to implement the award on the issue of dearness allowance on financial grounds.
- (ii) No, the company did not discharge the workers. It is reported that, as a protest against retrenchment of some workers, the other workers in a body demanded their wages and left the factory after staging a sit-down strike.
- (iii) The majority of the workers rejoined on condition that they would not resort to any unconstitutional activities. Government are not aware of any non-union forms having been signed by any of them.
  - (b)(i) No.
  - (ii) Does not arise.
- Dr. SURESH CHANDRA BANERJI: বাননীর বরীবহাণর বলবেন কি বলি অর্থ-নৈতিক কারণে কোন company Tribunalএর রার না বানে তবে Government এই ব্যাপারে কি ব্যবস্থা অবন্ধন করেন ?

The Hon'ble KALIPADA MOOKERJI: যদি অর্থনৈতিক কারণে না বানে তবে section 19(3) অনুবামী আবার Tribunalএ পাঠান হয়।

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রীবহাণয় বলবেন কি এই ব্যাপারে এই disputeটা আবার Tribunalএ পাঠান হয়েছিল কিনা ?

The Hon'ble KALIPADA MOOKERJI: পাঠাৰ হরেছে ৷

Dr. 8URE8H CHANDRA BANERJI: তারপর তার বিচারে কি ফল হল ?

The Hon'ble KALIPADA MOOKERJI: Tribunalএর বিচারে Judge এই কথা বলেছিলেন।

"I am convinced that there are good reasons why the award could not be implemented. So far as the point regarding dearness allowance is concerned a good case under section 19(3) of the Industrial Disputes Act has been made out. I therefore make the following award regarding the amount of dearness allowance and payment of the same with retrospective effect as per award. The award dated 15th May, 1948 shall cease to be in operation and the award is amended and modified accordingly."

Dr. SURESH CHANDRA BANERJI: মাননীয় ষয়ীমহাশয় বলবেন কি এই second awardএর এই ধারাটি company মেনেছে কিনা ?

The Hon'ble KALIPADA MOOKERJI: মেনেছে বলেই ত'মনে হয়, আমি সঠিক কানি না। যদি কানতে চান তবে নোটিশ চাই।

Dr. SURESH CHANDRA BANERJI: With reference to answer (ii) মন্ত্রীন বিধানন কি এই সময় workerদের retrenchment কেন করা হায়তে ?

The Hon'ble KALIPADA MOOKERJI: এটা একটা স্বতম্ন issue। কয়েকজন লোককে retrench করা হয়েছিল, তারা sit down strike করেছিল।

Dr. SURESH CHANDRA BANERJI: মহীমহানয় বলবেন কি how they were retrenched.

The Hon'ble KALIPADA MOOKERJI: প্রশুটা ভাল করে বলবেন কি ?

Dr. SURESH CHANDRA BANERJI: With reference to answer (ii) where it has been said "as a protest against retrenchment of some workers" মনীমহাণৰ বলবেন কি এবৰ workersকের কেন retrench করা হয়েছিল ?

The Hon'ble KALIPADA MOOKERJI: কারণ কোম্পানির raw materials মুড়াব হয়েছিল একথা তারা বলেছিল।

Dr. SURESH CHANDRA BANERJI: Raw materialsএর অভাব হয়েছিল কিছ
শুদিকরা এজন্য company থেকে কোন compensation পেয়েছে ?

The Hon'ble KALIPADA MOOKERJI: আমি নোটিশ চাই।

Dr. SURESH CHANDRA BANERJI: মাননীয় বহীবহাণর বলবেন কি শুবিকর। কেন চাকরী ছেড়ে চলে গিরেছিল, যা তারা দাধারণত: করে না। এই অস্বাভাবিক কাম শুবিকরা কেন করতে বাধ্য হরেছিল ? The Hon'ble KALIPADA MOOKERJI: প্রথবে করেছিল বাইনের লোকের প্ররোচণার। তারপর Conciliation Officer তাদের বোঝানর পর তাদের মধ্যে শতকর। ১০জন কাজে৯ কিরে গিরেছিল।

Dr. 8URESH CHANDRA BANERJI: এই অধাতানিক ব্যাপার স্বত্তে Government কোন enquiry করেছিলেন কি !

The Hon'ble KALIPADA MOOKERJI: Labour Commissioner enquiry

Dr. SURESH CHANDRA BANERJI: Labour Commissioner enquiry করার পর Government কোন report চেরেছিলেন কি গ

The Hon'ble KALIPADA MOOKERJI: আমি নোটিশ চাই।

8J. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether this act of retrenchment followed the award of the first tribunal?

The Hon'ble KALIPADA MOOKERJI: No, long after the award was published.

**8j. JYOTI BASU:** With reference to answer (a)(i), will the Hon'ble Minister be pleased to state whether after getting this question Government enquired from the company whether they made the workers sign the non-union bond?

The Hon'ble KALIPADA MOOKERJI: Yes, certainly enquiry was made and it transpired in the course of the enquiry that workers were not compelled to sign any non-union forms.

Sj. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether these cases of retrenchment were referred to any tribunal or not?

The Hon'ble KALIPADA MOOKERJI: No.

8], JYOTI BASU: Will the Hon'ble Minister be pleased to state whether the workers voluntarily signed the non-union forms?

The Hon'ble KALIPADA MOOKERJI: Yes, so far as my information goes.

8j. JYOTI BASU: Will the Hon'ble Minister be pleased to state whether he or his labour officers called the workers in question and asked them about the non-union forms?

The Hon'ble KALIPADA MOOKERJI: Yes, we did.

8j. JYOTI BASU: Will the Hon'ble Minister be pleased to state how many workers were thus asked?

The Hon'ble KALIPADA MOOKERJI: I want notice.

# Irrigation projects undertaken by the State

- •19. Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Will the Hon'ble Minister in charge of the Irrigation Department be pleased to state—
  - (a) the irrigation projects, big and small, that have so far been undertaken by the State;

- (b) the projects that have so far been completed;
- '(c) the additional area that is commanded by the projects so far completed; and
- (d) the additional yield so far realised in paddy or jute in the area thus commanded?

The Hon'ble BHUPATI MAJUMDAR: (a) The Irrigation and Waterways Department have undertaken one Multi-Purpose Project, 26 Irrigation Schemes, 88 Drainage Schemes and 8 Irrigation-cum-Drainage Schemes. The Agriculture Department have undertaken 1,500 Small Irrigation Projects.

- (b) The Irrigation and Waterways Department have so far completed 100 schemes and the Agriculture Department 1,091 schemes.
- (c) 307,859 acres in the case of the projects of the Irrigation and Waterways Department and 376,573 acres in the case of the projects of the Agriculture Department.
- (d) 48,842 tons of paddy per annum from the projects of the Irrigation and Waterways Department and 72,623 tons of paddy per annum from the projects of the Agriculture Department.

A statement on the different schemes together with the commanded area and the extra yield is placed on the Table for the information of the House.

Statement referred to in reply to starred question No. 19

## PART I

# IRRIGATION AND DRAINAGE SCHEMES COMPLETED IN WEST BENGAL SINCE PARTITION

# Irrigation and Waterways Department

Serial No.	Name of project				Paddy-grow- ing area benefited. (In acres.)	Extra yield of paddy. (In tons.)
	Bankura district					
1.	•Rukni Khal Irrigation Scheme				500	111
2.	*Kulai Khal Irrigation Scheme				600	222
3.	Banskhal Irrigation Scheme				1,000	111
4.	*Chamkora Khal Scheme				650	189
5.	*Bhalukajore Irrigation Scheme	••	• •	••	104	27
	Birbhum district					
6.	Hinglow Embankment Scheme				2,000	185
7.	Belgram Bund Scheme				350	175
8.	*Nagari Rajar Bund Scheme				240	27
9.	Sakbera Kandar Scheme				67	7

Seri No		i <b>.</b>			Paddy-grow- ing area benefited. (In acres.)	Extra yield of paddy. (In tons.)
10	. Jhinaipur Bund Scheme		••		117	15
11	. Dhanutha Patila Embankment Sci	heme	• •	٠.	1,000	111
12	Sohara Bund Drainage Scheme				650	72
13	Marcola Bil Drainage Scheme				250	23
	Burdwan distri	ct				20
14.	Re-excavation of Rajani khal					
15.		••	••	• •	5,760	640
16.		••	••	••	867	74
	a a mana an a a manage a continu	••	••	••	5,760	640
•	Dargeeling dist					
17.	*Irrigation and Drainage Bund Sch				1,000	111
18.	*Irrigation Bund and Drainage Sch	ome in	mouza Jama	ıtulla	1,200	133
19.	*Bund in Siabita mouza	• •	••	••	540	60
	Hooghly distri	ct				
20.	Saraswati Scheme				20 140	
21.	Kunti Chandangore Scheme		•••	• • •	38,148	938
22.	Re-excavation of Roner khal				10,000	5,000
23.	Extension of Bhomra khal		• • •	••	1,280	142
24.	†Silt clearance of outlet No. 21 of I			bhala	3,200	356
25.	Excavation of channel from Panpa				500	56
26.	Re-excavation of Kalikapur khal			• •	142	16
27.	Silt clearance of Bamankhana khal		• • •	••	2,300	256
28.	Trans-Damodar Internal Drainage		• • •	••	3,040	338
29.	†Construction of second sluice in Co			r. Road	32,907	3,391
			isiningar	1 to au	3,000	333
<b>3</b> 0.	Hourah dist Re-excavation of Dakshin Jhapards					
31.	Re-excavation of Santoshpur khal		••	• •	2,560	284
32.	Re-excavation of Gazipur khal	• •	••	••	640	72
33.	†Inner and outer sluice channel of S		i aluico	••	2,400	1,200
34.	Re-excavation of Joynagar Sankrail		, muleo	• •	800	400
35.	Silt clearance of Murshed khal	K ILLE		• •	1,200	133
<b>36.</b>	Silt clearance of Purana khal for pe	artial dr			1,280	640
37.	Re-excavation of Mohanpur Dongag	hata bb	 al	• •	3,840	640
38.	Nawee-Sultanpur Khal Scheme			• •	1,230	140
30.	Trawoc-ommunpur Izriai benemb	••	••	••	2,400	267
	Jalparguri disti	rict				
39.	*Jampoi Irrigation Scheme	• •	••		800	444
		• •	•	••	700	78
41.		••	••	• •	1,050	117
<b>42</b> .		• •	• •	••	1,800	200
<b>43</b> .	Embankment in mouza Purbabataba	ri			1,090	121
44.	Bund and channel in Rangatı river	••	••	••	1,440	160

Seri No		i <b>.</b>			Paddy-grow- ing area benefited. (In acres.)	Extra yield of paddy. (In tons.)
45.	Embankment and box sluice in Sa	ptami	river		2,700	300
46.	Dhumrijora channel in mouza Pane		••	• • • • • • • • • • • • • • • • • • • •	1,250	
47.	Embankment in mouza Padamati				960	129
48.	*Bund in mouza Khutimari				1,000	107
49.	*Bund in mouza Champasarai				700	111 78
	Ма	lda dis	deict		700	18
۲0		ou wa				
50.	Mallikpara Danra Scheme	• •	••	• •	16,000	1,800
51.	Boalia Bil Drainage Scheme	• •	••	• •	6,400	711
52.	Kanchan Bil Scheme	• •	• •		1,500	534
53.	Construction of a regulator at Tafir	ndara	• •	٠٠,	6,400	1,111
	Midna	pore d	ist <del>ri</del> ct			
54.	*Putrangi Irrigation Scheme				2,200	978
55.	Re-excavation of Patchanda khal				1,000	111
56.	Re-excavation of Akna khal				1,600	178
57.	Silt clearance of Amirabad khal				9,600	1,069
58.	Silt clearance of Tamlaparia khal		••	••	2,560	284
59.	Re-excavation of Banpur Machada	khal	••		4,480	498
60.	Silt clearance of Gomrai khal				1,280	533
61.	Removal of silt bar at the head of &	Sankar	ara khal		640	142
62.	*Collector's Bund Scheme				960	107
63.	•Rajar Bund Scheme				1,200	133
64.	Improvement of Topakhal				11,520	1.280
65.	*Silt clearance of Banskhana khal in	police	station Sebon	ng .	2,000	1,000
66.	†Katan Sluice Scheme			٠	960	107
67.	†Construction of Alalpur Sluice				1,280	142
68.	•Sepoy Bund Scheme				600	67
	Murshida	bad di	strict			•
69.	Re-excavation of Ramghat drainage	chann	el		2,000	222
70.	Dudsar Bil Drainage Scheme		••	•••	640	320
71.	Dumush Bil Scheme		••	•••	300	320 150
72.	Sahibnagar Trimohini Drainage Sch	eme	• •	• • •	2,880	320
73.	Re-excavation of drainage channel from	om Go	ra bil to Babla		280	320
74.	Pirtala Khal Drainage Scheme				2,240	249
75.	Barabila Bil Drainage Scheme			••	160	80
76.	Sultanpur Bil Drainage Scheme			••	320	160
77.	Silt clearance of Jibanti Banki rivers	3	••	•••	6,400	2,370
	Nadia di	strict			3,200	2,010
78.	Hansdanga Bil Drainage Scheme				140	••
79.	Petobhanga Khal Scheme	••	••	••	160	18
	Improvement of Kata khal			••	160	18
81.	Re-excavation of Harer khal	••	••	• •	160	18
82.	Re-excavation of Gurguria khal	• •	••	• •	640	72
83.	Re-excavation of Hizli Bakshi khal		••	••	1,500 320	167
84.	Kachudanga Pataboki Khal Scheme		••	••		35
		••	••	• •	100	11

Serial No.	Name of project.			•	ing ber	dy-grow- g area nefited. acrea.)	Extra yield of paddy (In tons.)
	24-Parganas di	strict.					
85.	Harahatuganj Drainage Project					16,000	3,333
86.	Re-excavation of Hetarjinki khal					2,810	312
87.	Silt clearance of Ausberia khal					1,760	196
88.	Silt clearance of Tangra khal					2,500	1,200
89.	†Re-excavation of inner channel of K	Crishne	pur Regi	ulator		2,640	1,320
90.	Re-excavation of Bhatkia khal					3,840	427
91.	Construction of two embankments a	t the	side of N	lowpuku	ırın	640	71
92.	Construction of marginal bunds Katakhali khals	along	Balara	mpur a	nd 	320	36
93.	Construction of pipe sluices on the si Katakhali khals	de cha	nnels of I	Balaram	pur 	4,160	460
94.	†Improvement of Mahamaya Sluice					21,760	2,418
95.	Re-excavation of Kheyadaha khal		• •			3,210	357
96.	Re-excavation of Karaidanga khal i	n poli	re-station	n Bhang	ar	2,240	249
97.	Chota-Jagulia Bil Scheme				• •	960	480
98.	Silt clearance and extension of Nalo	lari <i>kh</i>	al			2,600	1,300
99.	Improvement of drainage of Jadav	pur an	P&			4,667	1,944
100.	Re-excavation of Jinkra Manasdan	a Bil I	Chal Sch	eme		500	333
			•	Total	••	307,859	48,842
	Agriculture, Fores	ts and	Fusherie	s Depar	tment		
Numl	per of completed small irrigation sche	mes-	1091 .			376,573	72,623
	•Asterisks indicate	purely	irrigati	on scher	nes.		
	†Indicates irrigation						

# PART II

# IRRIGATION AND DRAINAGE SCHEMES UNDERTAKEN AFTER PARTITION AND STILL IN PROGRESS

# Irrigation and Waterways Department

Serial No.	Name of project.		District.
1.	•Berai Canal Project		Bankura.
2.	•Suvankar Danra Scheme · · ·		Ditto.
	Bahadurpur Bil Drainage Scheme		Birbhum.
	Excavation of a kandar at Ankhana	••	Burdwan.
	Putting up fall board in Ratnapur bridge		Hooghly.
6.	Dhuli Khal Scheme		Howrah.
7.	Re-excavation of Nakole Kantaldaha Khal Scho	eme	Ditto.
8.	Kharia Sameswar Khal Scheme	• •	Ditto.
0.	Re-excavation of Mallikbagan khal	• •	Ditto.

Serie No.		ect.		District.
10.	Repairs to Tejpur embankment			Howrah.
11.	•Narathuli and Kamkhyaguri Irrigat	ion Scheme		Jalpaiguri.
12.	Bund in river Dhankora		• • •	Ditto.
13.	*Jhargram Irrigation Scheme			Midnapore.
14.	Soadighi Gangakhalı Scheme		••	Ditto.
15.	Panipia Khal Scheme			Ditto.
16.	†Re-excavation of Chandreswar khal			Ditto.
17.	Re-excavation of Solatopa khal			Ditto.
18.	Chhatinda Scheme		••	Ditto.
19.	Chowni Bil Scheme		••	Murshidabad.
20.	Chari Bil Scheme	••	••	Ditto.
21.	Construction of sluice gate at Nila	• •	••	·
22.	Excavation of a channel from Joykris Matla.	hnapore to r	·· ·iver	24-Parganas. Ditto.
<b>23</b> .	Mayurakshi Reservoir Project		••	Birbhum, Burdwan and Murshi- dabad.
	Agriculture, Forest	ts and Fisher	ries De	partment
<b>Jum</b> be	er of small irrigation schemes in progress			409

\*Asterisks indicate purely irrigation schemes, †Indicates irrigation-cum-drainage schemes.

# Points of privilege.

Dr. SURESH CHANDRA BANERJI: On a point of privilege, Sir. কাল আপনার যেসৰ কথা বলেছেন division of the House সম্বদ্ধে তা থেকে আমাদের মনে এই ধাবণার সৃষ্টি হয়েছে এবং অন্যান্য াবও অনেকের মনে——

Mr. SPEAKER: That question does not arise. And if it arises again, then you may refer to it.

Dr. SURESH CHANDRA BANERJI: যে ধারণার সৃষ্টি হয়েছে সে সম্বদ্ধে আমাদের বলতে পেবেন নাং আমি তথু বলতে চাই বে আমরা——

Mr. SPEAKER: I must know as to what is the thing which is being referred to now in this House. If it refers to my ruling of yesterday, I say that question does not arise now, but if that question arises again I shall give you a hearing and give a further ruling.

Dr. SURESH CHANDRA BANERJI: Sir, the question arises in this way. বে কথা বলেছেন তাতে এই রকম ধারণার সৃষ্টি হয়েছে যে, আমরা যেন এই Assemblyর কাজের পকে বাধাই সৃষ্টি করি। আমি তথু বলতে চাই কোনদিন বাধা সৃষ্টি করিনি, আমাদেব সহযোগিতায় জনেক Bill পাশ হয়ে গিয়েছে, আমরা বেশী divisionএব কথা বলিনি! West Bengal Security Actএর ১৪নং circular এসম্বাহে একবার division চেয়েছিলাম। কাজে কাজেই কোন রকম বাধা সৃষ্টি করিনি, এবং বাধা সৃষ্টি করার কোন মতলবও আমাদের নাই। আমরা Co-operationই করতে চাই। West Bengal Security Act খুব জরুরী আইন, তাতে division চাইব——

The Hon'ble Dr. BIDHAN CHANDRA ROY:  $\operatorname{Sir}$ , we accept this apology or explanation.

Dr. SURESH CHANDRA BANERJI: It is not an apology.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Or whatever it is.

- 8j. DEBENDRA NATH SEN: On a point of privilege, Sir. On Friday last while giving reply to my speech on the Bengal Finance (Sales Tax) (West Bengal Amendment) Bill the Hon'ble the Chief Minister held out a promise that the Awards of the Tribunals appointed to enquire into the cases of the Birlas would be put before the Assembly. May we know the date on which those Awards will be placed before us, and further whether we would be allowed any discussion on those points? I raise this point because the Chief Minister, although in a boastful manner, did say something and told some lies. I want to know whether you will allow a discussion.
- Mr. SPEAKER: When that thing is placed before the House you can raise that point. At present you can only ask for an information as to whether it is coming or not.
- Dr. SURESH CHANDRA BANERJI: On a point of information Sir, কাল যে order paper circulate হযে ছ তাতে দেখা যায় এই পর্যন্ত ছ্মনা প্রভাবের নোটাপ পেরেরা হয়েছে। আমি ২না, পেরেন সেন ১না, চাক চক্ত ভাগুরি ২না আব জ্যোতি বোস ১না। আমি জ্ঞানতে চাই এই সব resolution move কবাব তাবিধ এখন পর্যন্ত নিনিষ্ট হয়নি। তা নিষ্টিই হবে কিনা এবং এই সব প্রভাব move করার স্যোগ পাব কিনা।

Mr. SPEAKER: I will see to it.

#### COVERNMENT BILL.

# The West Bengal Security (Amendment) Bill, 1951.

Clause 2.

- **8j. JYOTI BASU:** Sir, I beg to move that in clause 2, item (ii) of clause (4) of section 2 of the Act be omitted.
- Sir, 1 beg also to move that in clause 2, item (iv) of proposed section 2 of the Act be omitted.
- Sir, I beg further to move that in clause 2, lines 12 and 13, the words "or which incites or tends to incite the commission of any offence" be omitted.
- Mr. Speaker. Sir, already while speaking yesterday at the consideration stage 1 had pointed out why generally these particular amendments which are being suggested by the Government are not acceptable to us and this specific clause 2 is one of the clauses for which all of us on this side of the House have objected to the amendments as suggested by the Government.

Now, prejudicial report means any report which prejudicially affects the security of the State. Now one can understand the Government being very conscious about the security of the State, and if anything is written or published by a paper which prejudicially affects such security, then it should be prohibited and action should be taken against such a paper. And I believe, Sir, that if any such publication takes place and the Government 17

prohibits such publication and they go before a court of law, then there it is possible for the court to determine as to what is the meaning of the security of the State. Therefore, on this point one may at least concede powers to the Government.

But, Sir, coming to the next point, I have suggested that clause 4(2) should be deleted because public order may mean anything and everything and nothing under the Sun and also because, as far as possible, we are aware that it depends upon the interpretation of the public order and there are no specific instances or laws or rules whereby one can make out as to what is the meaning of public order. According to the West Bengal Government. as it has been behaving for the last few years, everything would come under the purview of these words "public order", and therefore I for one am opposed to give the Government such powers. I know that in Parliament these words have been added in the Constitution. The reason also is clear to us. It was after the High Courts in different provinces pleaded inability to illegalise the different communist parties in the different provinces that the Central Government and the Central Ministers thought that unless they included those words in the Constitution, it probably would not be possible for the Government in future to outlaw any of the political parties. Now, under the plea that a particular party was threatening the public order any political party opposed to the Congress can probably be outlawed, and I think that is the interpretation which Pandit Jawaharlal Nehru put when he introduced an amendment to the Constitution incorporating the words "public order". And I think that is also why when this particular section was incorporated in Parliament, they tried to make out that if anything is published in the press which affects public order prejudicially, then those things should be stopped from publication. But, Sir, yesterday some speakers tried to make out as to what may fall within the purview of these words. If, supposing, Sir, as it is happening now, a democratic paper publishes reports about famine conditions in certain districts or reports of large-scale deaths due to hunger or if it publishes reports about largescale demonstrations of the famine-stricken people in different districts of Bengal, then immediately the Government might turn round and say that the publication of such reports would prejudicially affect public order and thereby not only all such demonstrations and meetings for food and cloth can be stopped, but the papers which publish such reports can be punished and stopped from publication. If, Sir, as it sometimes happens, there are large-scale demonstrations of students against raising of their college and school fees and the reports are published in the press, then they might come under the purview of public order and, therefore, the Government might stop the publication, by an order, of such reports in the press. Therefore, I am opposed to giving any such powers to the Government and so I have suggested that these words "public order" should be deleted. security of the State" may remain, but the words "public order" are very dangerous-and specially in the hands of a reactionary Government like the Congress Government and the Ministers sitting there opposite. They are so afraid of the democratic press that the reporter of the daily paper Swadhinata of which I am the editor is not allowed to enter the Writers' Buildings with a Press Card—they are not given a Press Card, I do not know why. I have not been able to find this out yet but I think the chief factor is that the Government is afraid because our paper publishes reports which are not to the liking of the Government. If the Government can behave with press reporters and the democratic press in this mannerand certain other examples were given yesterday with regard to Government advertisements and so on—and if I equip the Government with these powers which it would get if these words are retained in the Act, then, Sir, I think that is the end of the little freedom that is left of the press.

Then, Sir, I have also suggested in my amendment that item (iv) should be deleted—that is, friendly relations with any foreign State—because prejudicial report would mean any report which prejudicially affects the friendly relations with any foreign State. Now, Sir, yesterday I gave one example of the American attack on Korea. If that is published in the press after these powers are given to the Government, then any moment these reports might be stopped and the people would lose their forum of expressing their views on the aggression committed by the American Imperialism all over the world. If, for instance, I were to criticise and condemn the Atlantic Pact which is a war pact in Europe under the leadership of the American Imperialists, if I were to attack the pact with Japan which is also a pact of war in Asia and under the leadership of American Imperialism once again, if I were to point out that the American Government so far away is building air bases all over the world thousands and thousands of miles away from the American mainland and if I were to come to the conclusion that the American Imperialists are doing this in order to bring about a Third World War, then this Government, which has recently negotiated a loan with the American Government and stopped supplies of certain essential materials to China under the orders of the American Imperialism, would stop the publication of such papers.

Lastly, Sir, if I were to conduct, as many people inside India and throughout the world are conducting, peace movements for keeping the peace throughout the world so that a Third World War does not break out, if we organise a campaign of signatures so that ordinary human beingscommon men and women-give their signatures so that peace is maintained throughout the world and if these reports of the peace movement are published in the democratic press, then Sir, the Government—such a Government as this—might think that it is prejudicially affecting the friendly relations with a foreign Government—foreign State—and, as such, they might ban the publication of such news. the publication of such Therefore, Sir, as I have stated, this is definitely and surely an attack against the liberty of the press. Of course, I do not mean by uttering these words to convince the Hon'ble Ministers sitting on that side. They are, Sir, the representatives of moneyed people, of black-marketeers, profiteers and so on. So, I for one am telling them all these not to convince them, but, Sir, I am placing these views in this Hosue because I want an answer—a categorical, definite answer—from the Government whether what I am saying is true or not. Let the Hon'ble Chief Minister who waxed so eloquently about democracy give a categorical answer as to what will happen if such reports start coming out in the press after such powers are given to the Government. Therefore, I have said these things. I have no illusion that merely by hearing me they will change in the least because they too are hardened politicians—they do not believe in this kind of democracy which exists in a free country. Of course, I shall be told that the press cannot be given the completest freedom to preach communal hatred and such other things because that is always trotted out whenever we talk of democracy in this House.

Janab Khuda Bukhsh talked about relations with Pakistan. I for one am convinced that unless we have the friendliest of relations with our neighbour Pakistan, it is impossible either for India or Pakistan to go ahead in this world. (Cries of "hear" "hear" from Treasury benches.) It is no use saying "hear" "hear". But no one on that side—(The Hon'ble Niharendu Dutt-Mazumdar: You cannot appreciate.) It is no use appreciating me. I know all this appreciation. No one on that side believes that. Janab Khuda Bukhsh ought to know it—a little while ago he was on this side, today for some reason he may talk things in which

he does not believe, but not for long he will be with the Congress—he will betray them just as he betrayed us. But my point is that these powers will be used——

Mr. SPEAKER: I will ask you to withdraw the words which you have said. I think this is an aspersion upon a member.

8j. JYOTI BASU: But he has left us.

Janab MD. KHUDA BUKHSH: On a point of personal explanation-

8j. JYOTI BASU: Mr. Speaker, in view of your request I withdraw the word "betray". But I may say this—he has left us and walked over to the other side.

Janab MD. KHUDA BUKHSH: On a point of personal explanation—

Mr. SPEAKER: I will allow you to give personal explanation afterwards.

**SI. JYOTI BASU:** Therefore all that I have said is on a theoretical plane because for the last four years I have seen the working of this Government. I have seen the Ministers functioning in the matter of civil liberties and democracy for the people. Therefore, Sir, I have uttered this warning, and I am sure that, it not the Ministers on that side or the Congressmen sitting there, the members of the Assembly who are wishing for a ticket for the next General Election from the Congress, the people outside, the vast majority of our people will understand what I am saying. They will appreciate what I am saying and support me in what I am saying. With these words, I propose my amendment.

#### Point of order.

Janab MD. KHUDA BUKHSH: On a point of personal explanation Mr. Speaker, Sir, my honourable friend Mr. Basu has chosen to refer to me in his speech and also to say that I have betrayed him.

Mr. SPEAKER: He has withdrawn that word,

- Janab MD. KHUDA BUKHSH: He has withdrawn it, but I want to make it clear that I never had belonged to his party, since he is a Communist and I have never been a Communist, and I do not believe in that ideology. Sir, I was in the Opposition at a time when through Partition this House met.
- 8j. JOTI BASU: Sir, is this relevant to what I have said? (The Hon'ble Rai Harendra Nath Chaudhuri: Yes, it is.) We do not want any personal explanation from any member.
- Mr. SPEAKER: I understand that it is not customary for the member to give an explanation as to why he has joined another party from the party to which he belonged. Under the circumstances he need not speak. When the Ministers leave the Ministry they give a statement if they so desire, but when a member goes from one party to another it is not allowed that he should explain as to why he has left the party.

The Hon'ble BHUPATI MAJUMDAR: At the same time he cannot be attacked by somebody else.

Janab MD. KHUDA BUKHSH: I was not going to explain in detail why I crossed the floor, but since he used the unhappy expression "betrayed"—

Mr. SPEAKER: He has withdrawn it.

Janab MD. KHUDA BUKHSH: Since he has withdrawn it, I do not want to pursue the matter any further.

The Hon ble NIHARENDU DUTT-MAZUMDAR: Since you took notice of an utterance which has been withdrawn. I must call your attention to another wild remark that that honourable member made in course of his speech, that the Ministers were representatives of the black-marketeers. (Sj. Jyott Basu: Yes they are.) Do you hold that in order, Sir If that expression is held in order, then you must know that the honourable member belongs to a party of traitors.

Wr. SPEAKER: Order, Order. Every member has a right to make his submission. When he is making his submission I would request the honourable members that he should be allowed to make his submission.

The Hon ble NIHARENDU DUTT-MAZUMDAR: What is your ruling, Sir? Is that expression in order? Then we would know how to describe aptly and truly the honourable member and his party.

\*(Mr. SPEAKER: You must raise your point of order.)

Ythe Hon ble NIHARENDU DUTT-MAZUMDAR: I have submitted my point of order. I want your ruling.

(Sj. Jyoti Basu and the Hon'ble Sri Niharendu Dutt-Mazumdar both rose to speak).

Mr. SPEAKER: I cannot hear more than one member at a time.)

\*(Sj. JYOTI BASU: I was standing. Please ask him to sit down.)

Mr. SPEAKER: Let him finish.)

The Hon'ble NIHARENDU DUTT-MAZUMDAR: He has already finished.

Sj. JÝOTI BASU: On a point of order, Sir.

Mr. SPEAKER: What is your point of order?

Sj. JYOTI BASU! What I wanted to make out was that you had reminded us so many times in this House that a point of order on such an unhappy expression used by members should be raised just at the moment the expression is used. Otherwise it cannot be raised afterwards. That is my point.

Mr. SPEAKER: Whenever a point of order is to be raised it must be raised immediately.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: I have raised the point of order immediately after the member finished his speech. My submission is that the honourable member is so used to making such wild and irresponsible utterances that if I were to rise then, then the points of order would amount to a running commentary on the arrant nonsense that the honourable member is used to uttering. Therefore, the House depends on the Chair to pull up the honourable member; and if any particular utterance escapes the notice of the Chair, then it is meet and proper that any honourable member of this House should call the attention of the Hou'ble Speaker immediately after the speech is over, in order not to allow any waste of time and in order to allow him to finish his speech. I now call your attention to this. You may ask him whether he denies having

made this utterance. If he denies, it can be verified. If he agrees that he has made this utterance, it is for him to justify his atterance and for you to hold whether this is in order or not, and that will also give us a clue as to how to deal with and describe him in a manner that may be telling and effective although a bit uncomfortable for him, to characterise what his true character is)

+ Mr. SPEAKER! Do not cast any aspersion.)

The Hon'ble NIHARENDU DUTT-MAZUMDAR: I am not casting aspersion. I raised the issue.

The position is that a point of order can be raised in the midst of a speech as soon as a particular word is used. That is the proper time. At once a point of order should be raised. I find from a ruling that a point of order can be raised during a speech when it arises. Thus naturally the proper time for raising the point of order is gone.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: That does not mean that it cannot be raised at the end of the speech.

Mr. SPEAKER: That is the proper time when the point of order is to be raised,

With regard to the remarks against the Ministry so far as my personal view is concerned no section of the House should be allowed to cast aspersions which are in the nature of personal reflections upon others. So far as the Ministry as a whole is concerned, the remarks generally are made against the Ministry in their public capacity—they have been made in this House though I feel that very often such remarks also exceed the limits within which such remarks should be made. Still I feel that we have been habituated to hearing a good deal of criticism of the Ministry as a whole. Whenever the remarks are made against the Government it is a moot question as to whether it should be construed as a remark or a personal reflection upon the persons constituting the Ministry or whether it is to be construed as a criticism of the administration itself. So far as this point is concerned, I must confess that this point has been troubling me for some time past as to how far even a Ministry should be accused of doing things involving moral turpitude—whether they are not entitled to the same rights and privileges as other members of the House are. Take, for instance, when one member accuses another member of something which is derogatory to his position and prestige—at once that particular member raises a question and, I believe, we generally rule it out. The whole question will depend upon, to my mind-I am open to conviction-whether a remark is made against a particular Minister as a person. Certainly, this is a personal reflection upon him. But when a remark is generally made against a Ministry as a whole, I believe that it may be construed as a criticism of the Ministry as a whole and this is a point on which I cannot say very very definitely unless I consider it afresh. To my mind it appears that we have been hearing so much criticism of the Ministry and the Government as a whole: (The Hon'ble Dr. Bidhan Chandra Roy: He said that the Ministers are friends of the black-marketers.) Whenever a word is used in criticism of the Ministers or the Ministry or the Government we have understood it to mean that it has been used in the sense that the Government as a body is being attacked. For the last 12/13 years I have been in this Assembly and so far as the Government is concerned, we have been hearing very virulent remarks in this House against the Government which personally speaking I feel that it is difficult for any man

to swallow. All the same we have been hearing them and we have always believed that they are not directed against any particular individual but that it is more against the Ministry as a whole, and that they were used in criticism of the administration. If, however, this matter is to be pursued further, then I am not in a position just now to say one way or the other as to how it should be construed in future, if objection is now raised. In this connection I may tell you that even in the Speakers' Conference we had some talk about this matter as to how far such remarks can be made and allowed but we could not come to any cut and dried decision. 7

The Hon'ble Rai HARENDRA NATH CHAUDHURI: But you have to give your ruling in this case, Sir.

Mr. SPEAKER: Yes, if that situation arises we shall have to come to that decision.

The Hon'ble BHUPATI MAZUMDAR: Following what has happened today, can we use such language that the Krishak-Praja Party are the representatives of the *jotedars* and the Communist Party the representatives of the pick-pockets?

Mr. SPEAKER: That is not desirable but granting that one party uses such expressions against another party I don't think that I can object to that another party levelling such criticisms against the party that originated the attack, provided that they are not directed against individuals.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: The question is not one of parties, Sir, but individuals.

Mr. SPEAKER: As individuals one cannot cast any personal reflection on another individual. If any reflection cast on the Ministers or the Ministry is to be construed as a personal reflection upon the particular Minister or a particular set of Ministers that should be open to objection but we have hitherto been habituated to taking these words in the sense of criticism of the Government as a whole. Hitherto we have taken them as criticisms not of a particular Minister or a particular set of Ministers but of the Ministry or the Government as a whole. But if an objection is taken that it is a personal reflection upon particular individuals then certainly it is a very serious question to be considered but in the light of our understanding, as we have been hearing it and listening to it all along that has become the practice more or less.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: May I call your attention to the difference and distinction between what is directed against the Ministry and a specific statement about Ministers. If what you say, Sir, namely, that we are all along habituated to hearing certain things. Therefore we should not mind them, as if it would confer a prescriptive right on certain members to use wild utterances, in that event, Sir, it would be parliamentary to say that a certain member is or certain of the members are representatives of swindlers, pick-pockets, cut-throats and so on and so forth. That is a dangerous precedent to lay down. This is the Point or Order, Sir. The other point that I want to submit is that the rule that you cited, Sir, nowhere lays down that, apart from giving a member the right to get up in the middle of a speech to raise a Point of Order, a point of order cannot be raised afterwards, the rule does not deprive a member of his right to rise on a Point of Order even after the speech has been delivered. Therefore I submit, Sir, that a Point of Order with reference to an utterance made in this House can be raised at any stage. Previously, Sir, speakers on a number of occasions have taken upon themselves to ascertain whether certain things were said or not and, after having verified what was said,

have given their own rulings. With regard to what you were saying, Sir, if you are satisfied on checking up what was uttered that the expression used was "Ministers" in contra-distinction to "Ministry" or in any other collective sense in which one can level it as a sort of general criticism against the Government without meaning an individual person, in that case, Sir, you will have to give your ruling as to what utterance was made and whether that was in order. I press that the utterance be checked up and verified if you have the least bit of doubt in your own mind as to what was said and in the light of that verification, Sir, give your ruling before this House so that we may have your guidance in making our descriptions also of certain persons more aptly.

Mr. SPEAKER: As a matter of fact on a point raised for ruling it is with the leave of the Speaker that any submission is made. I have on several occasions allowed so many submissions to be made so that the members may be convinced of the correctness and propriety of the decision and I do not think that there is anything wrong in the Hon'ble Minister making the submission that he made. Now referring to the point raised by the Hon'ble Minister it is a very very difficult point to decide just at the moment but if my friend wants me to give a ruling I shall have to take some time to consider it and to give my ruling.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: I insist on it, Sir, and if you will kindly allow me I have something very important to call your attention to. If you find, Sir, that actually this utterance was used then what does it mean? Among the Ministers all the ministers are included and as an individual I am also included among them. I point out to you, Sir, that I represent a constituency of 150,000 labourers and this constituency of 150,000 labourers cannot by any stretch of imagination be called black-marketers. I represent that constituency and that constituency cannot be called black-marketers. The honourable member who uttered this expression perhaps represents a trade union constituency which is no longer in existence and by an indirect method of vote he came into this House and for him to utter this word that a constituency of 150,000 factory labourers are black-marketers shows, Sir, that he is in league with the black-marketers himself to malign the constituency which I have the honour to represent. I therefore insist on your ruling after checking it up.

SJ. BIMAL COMAR CHOSE: A point of Order was raised and you have given your ruling, (The Hon'ble Rai Harehdra Nath Chtudhuri: No ruling has yet been given.) I think you have been very liberal today to allow the honourable member to make a submission. There are two points, Sir, one is as to when a Point of Order could be raised. The submission of my honourable friend is that a Point of Order can be raised at any time on any day. If that be so, Sir, that is a very dangerous practice. I don't mind if you uphold that Point of Order because that would be applicable to us also and we shall be allowed to raise a Point of Order any time. Even when we may not be present in the House if something happened on a day on which a Point of Order should be raised, I could stand up any day—may be several days after the incident—and raise a Point of Order on the incident that happened on the day I was not present in the House and say that such and such a thing was said on such and such a day. To allow such a thing, Sir, I suggest would be very ridiculous. Now about the second and main point as to what words are really parliamentary and what are not and as to what epithets should be used in reference to the Ministers is a point which could be decided only in reference to what has actually happened or what actually happens and not in reference to what might happen. You also permitted to be discussed

as to what words might or might not be used and I need not refer you to this. I have been a member for only 5 or 6 years. My honourable friend has been a member for a longer period than that and you probably much longer. When the Muslim League Ministry was here we always used to hear that Ministry referred to as a communal and corrupt Ministry. That was our usual epithet and we always said that it was a communal Ministry and you must have felt that that word was certainly bad in the context of those days. That was the worst epithet that we could think of and no objection was raised to that. On no occasion would we refer to that Ministry as anything but a communal Ministry even though that Ministry used to say that they were the representatives of the people of Bengal although on the Opposition Side we never agreed that it represented the people of Bengal but represented only the communal-minded Muslims. But that was allowed. Certain epithets are used from time to time in reference to the Ministry and as you are the custodian here it is for you to say what word should be or should not be used. If it is said that these the moneyed Ministers represent the interests of it is although I may belong to that class, something In Great objection to. should take any there are the Labour and the Conservative parties—they represent labour and the capitalist. So there is nothing wrong in that. Why should the Ministers object if it is said that they represent the moneyed class? Why should it be thought that it is derogatory? It may be a commendable thing that they represent the moneyed class and no objection can be taken to that.

Mr. SPEAKER: Mr. Ghose, I have understood your point and you need not dilate on it further. Under rule 13 no person is entitled to make a personal charge and the question is whether the words used are a personal charge. If it is considered to be a personal charge, then that offends against that rule; and, if not, then there is nothing wrong to say that. I will give my ruling on the point after the recess or as soon as possible.

# The West Bengal Security (Amendment) Bill, 1951.

- 8j. HEMANTA KUMAR BASU: মাননীয় স্পীকার মহোদয়, Security বিলে আমার নাম জডিয়ে তিনি উল্লেখ কবলেন ব'লে আমাকে কিছু বলতে হচেছ। তাঁদেব আমি এই কথা বলতে চাই, আমাব পদত্যাগের একটা কাবণ হচেছ আমি যখন Congress ও Government partyce ছিলাম তখন তাঁদের এইসব অপকার্য্য আমার তাল লাগছিল না। এই Security Billh হচেছ তাঁদের অন্যতম অপকার্য়। তখন সাম্পুদায়িক গওগোন যাতে বন্ধ করা যায় সেই উদ্দেশ্যেই এই বিলটা আনা হয়েছিল। কিন্তু এখন তার ঠিক উল্লেটা কাজ হচেছ। এখন তারা রাজনৈতিক দলের উপর এই বিল পুযোগ করা আরম্ভ করেছেন, এই সমস্থ কারণেই আমি এদেব সংগে সব সম্পর্ক তাগে করি, এবং আমি মনে কবি যে, সেবিময়ে পুধানমন্ত্রীর আমাব নাম উল্লেখ করা উচিত ছিল না। কারণ, আমি পদত্যাগ করে নির্বাচকমণ্ডনীর নিকট আমার বন্ধবা পেশ—
- Mr. SPEAKER: Order, please. The question is that clause 2 do stand part of the Bill. It is not a question of personal explanation and why you resigned and why you have come back.
- Sj. HEMANTA KUMAR BASU: আমি বলতে চাই পুৰানবছী সেবিষয় উল্লেখ করলেন বলেই আমাকেও বলতে হচেছ। (The Hon'ble Bhupati Mazumdab: তা আনি ।) আপনি কিছু জানেন না। আমার statementটা আপনি পড়েন নি, সেটা পড়ে আমার কাছে আসবেন। স্থতরাং আমি যা বলছিলাম দেটা হচেছ Security Billa যে provisionটা দেওয়া হবেছে এটা স্বচেষ্টে dangerous clause এবং এটাকে এই বছরভাবে পাস করতে দেওয়া উচিত নয় যখন নির্বাচন

चांबाएवर नामत्त । चांबाव मृह बांबना धरे त्व, Election विख्वनी शांब हवाब चनारे छाँवा धरेतकम धक्रो অপণতান্ত্ৰিক বিল আনছেন। এছাড়া তাঁদের আর বে কোন উদ্দেশ্য নাই তার প্রাণ্ হচেছ তাঁরা এমন একটা बहेनां ए तथाए भावत्वन ना गाए बाएट्टेंब निवाशका security of the State नहें कहताब क्या कि চেটা করেছে। বরং আমি জানি এমন ঘটনা ঘটেছে যাতে সরকারপক্ষ থেকেই নিরাপত্তা নট করবার (DB) करी द्रायाद्य । नाना वक्त कलाबत कर्ण वानता कानि क्षकरमद वर्धाकानीन वावदाराव करा मध्य क्या थान armed force निरंग्न जानांग्न क्या शरुष्ठ । यनि जारेत्व भुरागंत्र এইভাবেই एवं छार'ल जनगांशावर्ष রাট্টের প্রতি অনুরক্ত হবে না বিরক্ত হবে ? কাজেই আমি বলতে চাই নিরাপত্তা কারা নষ্ট করছে ? বাঁরা এখন গদিতে বলে আছেন। আমাদের শিক্ষ।মন্ত্রীর একটা বাজার আছে এবং সে বাজারের একটা কমিটি আছে। সেই কমিটির লোকদের বিরুদ্ধে হঠাৎ একটা ১০৭ ধারার মামলা আনা হল। শেঘ পর্যান্ত কোর্টের ৰিচারে তারা নির্দোধ পুমাণিত হয়েছে। এইরকনভাবে যদি অনবরত জ্বলম করা হয় তাহ'লে রাষ্ট্রের পতি জনসাধারণের জনরক্তি বাডবে না বিষেষ বাডবে। কাজেই নির্বাচনের পাককালে এমন কোন জন্ম নেওয়া উচিত नत्र वात्र अल्लादमत्ना वानदादत्र security of the State प्यात्र विभाग हरू भारत । प्यामारमत्र প্রধানমন্ত্রী আঞ্চলাল প্রায়ই অন্য রাষ্ট্রের সহিত friendly relationsএর কথা বলছেন। আমাদের পণ্ডিতজী তো প্রত্যেক রাষ্ট্রের সঙ্গে প্রীতির সম্পর্ক বজায় রাখতে সচেষ্ট, কিন্তু বাহ্যবক্ষেত্রে আমরা কি দেখতে পাচিছ ? এতসৰ ক'রেও কি তাঁর। কোন একটি রাষ্ট্রকে সন্তই করতে পেরেছেন। এশিয়ার যে সমস্ত জাতি গণতত্তে বিশাস করে এবং আমাদের বন্ধুত্ব কামনা করে এই সমন্ত আইনের হার। তাদের বন্ধুত্ব বর্জ কুনুই ৰুৱা হবে। আমি সেইজ্বনা বলছি এই আইন আনা উচিত নয়। আমি সৰ্বতোভাবে বিলের বিবোধিতা করছি যাতে ইহা পরিঘদে গহীত নাহয়।

- 8J. KANAI LAL DE: মাননীয় স্পীকার মহোদয়, এই provisionএর clause 2 ধারাচা এত ব্যাপক বে, যদি এটা আইনে পরিপত হয় ডাহ'লে আন্যা নির্বাচনে আমরা যারা বর্ত্তবানে দুর্ণীতিপরায়ণ মন্ত্রিসভার বিরুদ্ধে এবং বর্তমান অবস্থার পরিবর্তন করতে চাই তাদের পুতি বোরতর অন্যায় করা হরে। আজকে দেশের লোক বেতে পরতে পায়ে না। তাঁরা বলছেন যে, যদি জনসভায় এই সব কথা বলে বক্তৃতা করা হয় তাহ'লে জনসাধারণ উত্তেজিত হতে পাবে। কিন্তু উত্তেজিত হবাব বাকী কি আছে ? তাঁরা মনে করছেন এই বিলের আ্বায়ু নিয়ে তাঁদের বিরুদ্ধনাণী বক্তাদের আটক করবেন। জনসাধারণ বিশিত্তবান করে এবং তাদের দুংবদুর্দশাব পুতিকারের জন্য কোন Magistratoএর কাছে যায় তবে এরা public order, public order ব'লে চীৎকার ক'বে শান্তিভক্ষের দায়ে তাদের আটক করার ব্যবহা করেন। আমরা স্বাধীন হয়েছি, আমরা ব্যক্তিশ্বাধীনতা পেয়েছি। কিন্তু আমাদের এই ব্যক্তিশ্বাধীনতাকে এই আইনের হারা সম্পূর্ণভাবে কুনু করছেন। সরকাবের ইচছার উপর আমাদের গর্কা নির্ভর করেন। বর্ত্তমানে গভর্ণমেণ্টের হাতে যে সমন্ত ক্ষমতা আছে তার অপপ্রযোগের বহু দুইান্ত আমি দিতে পারি। স্ক্তরাং তাদের হাতে আর ক্ষমতা দেওয়া উচিত নয়। এই security আইন এত ব্যাপক এবং তীমণ যে একে কিছুতেই পাশ হতে দেওয়া উচিত নয়। আমি এর বিরোধীতা করছি।
- 8]. HARIPADA CHATTERJEE: আনি এই বুই নম্বর clauseটা একেবারে তুলে দেবার পকে। আনার পুথন কথা হ'ল এই যে বর্ত্তনান নত্রীদের কার্যাকলাপের ছারা দেশে আর অরাজকতা চলতে দেওয়া উচিত নয়। যে গভর্গনেশেটর পিছনে জনসমর্থন নেই তাঁরা যদি আইনের বলে এই সমস্ত ক্ষমতাবলী হাতে পান, তাহ'লে তাঁরা যধন তথন, বাঁকে ইচছা খুশীমত তাঁদের বিরুদ্ধে একটা ছুতা, কি ধুয়া তুলে আটক করবেন এতে কোন ভূল নাই এবং তার কলে দেশের রখ্যে একটা রস্ক্র-বিশ্লব হবে। এবং তা বদি হয় তা'হলে দেশের নিরাপস্ত। রক্ষা করবেন কি করে?
  - Mr. SPEAKER: चानक बकारेड व विषय बालाइन। जाशनि चना किंडू बनून।
- 8]. HARIPADA CHATTERJEE: আনাকে বলতে দিন। বে গভর্ণবেশ্টের পিছলে অনসমর্থন নেই, তাঁলের হাতে পুনরার এই ধরণের ক্ষমতা দিলে, তাঁরা নিজেদের স্বার্থের জন্য এই ক্ষমতা সদ্ব্যবহার করবেন না এবং কলে এই আইনের অপপুরোগ হবেই এবং দেশে রক্ত-বিশ্বৰ অবশাস্তাবী। কারণ Fascism এই কথাই বলে—যখন গভর্ণবেশ্টের অনসমর্থন নেই, তখন তারা Opposition দলকে জোর করে আটক রাখবার

জন্য ক্ষত। হাতে রাখে। আসনু নির্বাচন আসছে, মুডরাং বেমন করে হোক পুনরার গলীতে আসীন থাকবার জন্যই এই সমন্ত ক্ষতা বর্ত্তমান গভর্পবেণ্ট নিজেদের হাতে রাখতে চান; এ-ছাড়া তাঁদের আর কোন উদ্দেশ্য নেই। তাঁরা জনসাধারণের প্রতিনিধি নন, তাঁরা পুঁজীপতী, বড়লোক বিড়লা-টাটাদের পুতিনিধি—এ কথা তাঁরা উদ্দের প্রত্যেকটি কার্য্যকলাপে পুনাণ করেছেন। দেশে যথন খাদ্যের আভাব, তথন আনাদের সঙ্গে বোগাবোগ রেখে, খাদ্যসমস্যা সমাধান কল্পে কোন কাজ করতে চান না। চারিদিকে ছাজার হাজার বিহা পতিত জমিপড়ে ররেছে অথচ তাঁরা থানের জমিতে পাট চাম করছেন। (A VOICE: আপনি clausouiর উপর বলুন) আমি clausouiর উপরেই বলছি। আমার কথা হচেছ যে, তাঁদের হাতে আর ক্ষতা দেওয়া উচিত নয়।

Mr. SPEAKER: The position is that the same arguments should not be repeated by each and every member. You have already stated that the present Ministry is incapable of keeping promise—that has been repeated. Please say something new on the clause. As Mr. Basu has dilated upon these two words "public order" and "friendly relations" I can appreciate that and I can understand that, but when we are on clauses you must speak something on the clause itself, that this is the difficulty in this particular clause.

Sj HARIPADA CHATTERJEE: স্যার, দুটা motionই এক সজে বলছি। একটা হচেছ্
Public Order এবং আর একটা হচেছ্ decency or morality এই clause (2)টা একেবারেই বাদ দেওয়া
হোক। আমি বলছি এদের হাতে কোন ক্ষমতা দিতে পুল্কত নই। কারণ এদের পিছনে জনসমর্থন নাই। এরা
দেশবাসীর দু:খ-মুর্কদা দেখেন না, গরীব চাষী ও জনসাধারণের দু:খদর্কদার পুতি প্রক্ষেপ করেন না, এ রা কেবল
তাদের কট দিতেই বন্ধপরিকর। স্নতরাং তাঁদের হাতে যদি ক্ষমতা দেওয়া হয় তাহলে দেশে রক্ত-বিশ্বর
আসবে। কাবণ Fascist Government যখন হয় তারপরেই রক্ত-বিশ্বর হয়, এবং তার পুতিবিধানের জন্য
দেশের জনসাধারণ অপ্রসপ্ত হাতে নেয়। তাই সেদিক দেখেই আমি এই সরকারের হাতে আর কোন ক্ষমতা
দিতে রাজী নই। আমি এই clauseএর সম্পূর্ণ বিরোধীতা করছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, when a person begins to repeat the same argument over and over again I feel that he is not convinced of the correctness of his statement and perhaps instead of trying to convince others he is trying to convince himself as to whether he is speaking the truth. It is in that light I for one do not bother about what Mr. Jyoti Basu says, as he repeats over and over again that these Ministers are friends of black-marketers and capitalists. It so happens that we also know something about other people, but decency is one of the things which we observe in public life and therefore it is no use our repeating these hackneyed expressions, because we feel that the gentlemen who had used these expressions do not themselves feel convinced of the correctness of their statements. Therefore I do not worry about them.

Sir, Mr. Jyoti Basu has used the word "democracy". He promised to teach me lessons on democracy. I am prepared in spite of my 70 years to learn from him,—he is a younger man than me—although I do not promise that I will be able to learn much at this old age. I have learnt about other forms of democracy which is called the Democratic Dictatorship in some countries, which is called Democratic Totalitarianism in another country and which is also called democracy in other countries. Sir, I fail to understand the intricacies of the various expressions that have been used from time to time. My friends have objected to the powers being given under this Act. As I have stated before, these are the expressions which are used in the amended Constitution. The amended Constitution was passed by the Parliament. Therefore it was necessary for us to amend our Act in consonance with the amended Constitution. Now, our friends opposite seem to feel that these will be utilised against them during the elections. Why are they so nervous? They represent the people, we do

not: we represent the capitalists. They are the proper leaders of the people. Why should they be so afraid, why should they be so nervous, I fail to understand. My difficulty arises when I see the results of elections like what we saw in Burdwan in spite of their oft-repeated vaunt that they represent the people. They represent one ideal. If that ideal happens to be one which is not wedded to any theory of terrorism or any theory of oppression or any theory of coercion of one's views on another, if their theory is not one of liquidating your opponents rather than giving a chance to live under certain conditions, then I say they need not be afraid of any amendment of this Act. I do not say that every man who is given the authority to give effect to the provisions of this Act is an ideal man from heaven. I do not claim that every person who is to administer this Act would be a person who is a perfect human being. Unfortunately perfection is not known in this world. Probably fortunately perfection is not known in this world because it leaves us room to try and struggle to attain towards perfection. Therefore it may be that there are cases where there have been misuses, but misuse of a particular Act or provisions of an Act by particular person can never be an argument against the provisions of the Act itself. The question that we have to decide is if there are people who are not prepared to believe in decency, who are not prepared to obey the ordinary rules of public order, should there not be any provisions for restricting them? These gentlemen seem to think as if this Act gives power to the Government to act in any way they like. They forget that the Constitution says, "reasonable restrictions". Therefore, this word "reasonable" over and over again has been declared to mean that the Judges of the High Court have the power to consider whether a particular restriction put upon a particular person under a particular Act has been reasonable or not reasonable. Members are aware often enough the word "reasonable" was declared to be a justiciable expression. Therefore why any person who is really a law-abiding person, a person who is in favour of preserving public order, a person who wants to see decency and morality established, why should be be afraid of any provision in any Act". I am perfectly sure any Government coming in shere I repeat my friend Dr. Ghosh when he made his speech in 1948 - any Government worth the name will have for some time to come to be armed with certain powers which it should be seen that they use with discretion, it should be seen that they use with moderation. It should be seen that if they misuse they are brought to book under any method that is possible or open to the public, but at the same time that such powers are essential, I think, goes without saying.

With these words, Sir, I oppose these amendments. The motion of Sj. Jyoti Basu that in clause 2, item (ii) of clause (4) of section 2 of the Act be omitted, was then put and lost.

The motion of Sj. Jyoti Basu that in clause 2, item (ir) of proposed section 2 of the Act be omitted, was then put and lost.

The motion of Sj. Jyoti Basu that in clause 2, lines 12 and 13, the words "or which incites or tends to incite the commission of any offence" be omitted, was then put and lost.

The question that clause 2 do stand part of the Bill, was then put and a division taken with the following result:—

### AYE8-44.

Abdullah, Janab S. M. Abdus Shokur, Janab Banerjee, Sj. Sushil Kumar Bhattacharyya, Sj. Shyamapada Chakravarty, Sj. Satish Chandra

Chaudhuri, The Hon'ble Rai Harendra Nath Das, Sj. Radha Nath Das Gupta, Sj. Khagendra Nath Dass, Sj. Kanalial Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Gomes, Mr. D.
Gupta, Sj. J. C.
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Majlumdar, The Hon'ble Bhupati
Mallick, Sj. Ashutosh
Mandal, Sj. Krishna Prasad
Mandal, Sj. Umesh Chandra
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab

Muhammad Siddique, Dr. Syed Murarka, Sj. Basantiai Naskar, Sj. Ardhendu Sekhar Naskar, Sj. Ardhendu Sekhar Naskar, The Hon'ble Hem Chandra Panja, The Hon'ble Jadabendra Nath Pentony, Mr. L. R
Poddar, Sj. Anandi'ai Pramanik, Sj. Rajani Kanta Rafiuddin Ahmed, The Hon'ble Dr. Roy, The Hon'ble Dr. Bidhan Chandra Roy Sarkar, Sj. Birendra Nath Roy Singh Sarkar, Sj. Satish Chandra Sen, The Hon'ble Prafulla Chandra Serajuddin Ahammad, Janab Shamsul Huq, Janab Wilks, Mr. G. C. D. Zaman, Janab A. M. A.

#### NOE8--14

Abdui Aziz Ansari, Janab Mohammed Badrudduja, Janab Syed. Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti. Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanal Lai Ghose, Sj. Bimal Comar Ghosh, Dr. P. C. Sen, Sj. Debendra Nath

The Ayes being 44 and the Noes 14, the motion was carried.

### Clause 3.

**SJ. HEMANTA KUMAR BASU:** Sir, I beg to move that in clause 3(I), line 3, after the words "in this behalf" the words "not below the rank of Secretary of the State Government" be inserted.

The motion was then put and lost.

The question that clause 3 do stand part of the Bill was then put and agreed to.

## Clause 4.

- **Sj. CHARU CHANDRA BHANDARI:** Sir, I beg to move that in clause 4(I), in proposed section  $21\Lambda(I)$ , line 2, after the word "specify" the words "by facts" be inserted.
- **Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 4(1) in proposed section 21A(1), line 4, for the word "grounds" the words "specific grounds in detail" be substituted.
- **8j. CHARU CHANDRA BHANDARI:** Sir, I beg to move that in clause 4(I) in proposed section 21A(I), line 8, for the word "three" the word "two" be substituted.
- **8j. JYOTI BASU:** Sir, I beg to move that in clause 4(1), in proposed section 21A(1), line 8, for the words "three weeks" the words "ten days" be substituted.
- I beg to move that in clause 4(1), in proposed section 21A(3), line 8, for the words "two months" the words "three weeks" be substituted.

I also move that in clause 4(1), in proposed section 21A(5), line 3, for the words "six months" the words "two months" be substituted.

I further move that in clause 4(1), in proposed section 21A(6), line 4, for the word "one" the word "two" be substituted.

Lastly I move that in clause 4(I), in the proposed section 21A, subsection (8) shall be omitted.

- Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 4(I), after the proposed section 21A(2), the following be inserted, namely:—
  - "21A(2)(a). The person in respect of whom the order is made shall have the right of appearance and audience and shall also have the right to be represented by a lawyer of his choice before the Advisory Board".

I also move that in clause 4(1), in proposed section 21A(3), lines 3 and 4, after the words "Government, and" the words "and also hearing the person in respect of whom the order is made and or his lawyer and" be inserted.

I further move that in clause 4(1) in proposed section 21A(3), lines 5 to 7, the words "or from the person in respect of whom the order was made" be omitted.

I also move that in clause 4(I), in proposed section 21A(6), lines 5 to 7, for the words beginning with "person who" and ending with "High Court" the words "High Court Judge or a retired Judge of the High Court and the other two must be distinguished lawyers of the High Court" be substituted.

8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that in clause 4(I), in proposed section 21A(3), line 8, for the word "two" the word "one" be substituted.

I also move that in clause 4(1), in proposed section 21A(5), line 3, for the word "six" the word "three" be substituted.

- I again move that in clause 4(1), in proposed section 21A(6), lines 4 to 7, for the words beginning with "one of whom shall be a person" and ending with "as a Judge of a High Court" the words "two of whom shall be persons who are or have been Judges of a High Court" be substituted.
- 8]. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 4(1), in sub-section (6) of proposed section 21A, in lines 4 to 7, for the words "one of whom shall be a person who is or has been or is qualified to be appointed as a Judge of a High Court" the words "two of whom shall be persons who are or have been or are qualified to be appointed as Judges of a High Court" shall be substituted.
- 8]. HEMANTA KUMAR BASU: Sir, I beg to move that in clause 4(1) in proposed section 21A(8), line 4, after the word "disclose" the words "provided no facts will be withheld which in the opinion of High Court and for purpose of justice is necessary to be disclosed" be inserted.
- **Sj. CHARU CHANDRA BHANDARI:** মাননীয় শীকার বহাপয়, এই যে clause 4 এটার সম্বন্ধে বলবার আবে আমি একটা point of order তুলতে চাই। সেটা হচ্ছে এই clause 4(1)এ বলা আছে "section 21A of the said Act shall be re-numbered as section 21B and before that section is so re-numbered the following sections shall be inserted".

এখন আনরা দেখতে পাই original যে Act তাতে section 21A নামক কোন section নাই, স্থতরাং এটা তুল হরেছে। অর্থাৎ original যে Act West Bengal Security Act, 1950, যেটা নাকি amended হতে চলেছে নেই Acta section 21A বলে কোন sectionই নাই, তবে নেটা re-numbered হবে কি করে ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I can reply to my friend Sj. Charu Chandra Bhandari. It was section 21 in the original Act and there has been a subsequent amendment which was 21A and therefore it is an amendment to the amendment and so it is 21B.

8j. CHARU CHANDRA BHANDARI: তা'হলে এটা বলা উচিত ছিল বে West Bengal Security Act of 1950 as amended (The Hon'ble Bhupati Mazumdar: ওটা অননই বোৰা যায়) না বল্লেও বোঝবার বিদ্যা আনার নাই। বাক, তারপরে High Courts এই section ultra vires হবেছে।

Mr. SPEAKER: Are you rising on a point of order? Otherwise what is the point in your saying this to be ultra vires?

8j. CHARU CHANDRA BHANDARI: High Courts এই sectionটা ultra vires হরেছে। তার তিনটা কারণ মুখ্য বহী বহাপন বলেছেন। একটা কারণ হচেছ যে grounds কারো উপর restriction order হয় তাকে সেই ground সম্বন্ধ intimation দেওয়া হয় না।

ছিতীয়—যার উপর order হয় তাকে গভর্ণনেশ্টের কাছে—সে যে নির্দোধ সে সম্পর্কে কোন representation পেবার কোন opportunity বা অধিকার তাতে নাই।

ততীয় কথা হচেছ intimation। দেখা यांक এই intimation সহছে कि तना ছয়েছে। এখানে यना इरहर "The State Government shalll specify in every order made under sub-section (1) of section 21 the grounds for the order and the person in respect of whom the order is made shall be entitled to send a representation to the State Government against the order so as to reach the State Government within three weeks of the date of the order. क्योंने बरुक, shall specify the ground এখন পূৰ্ণ হচেছ এই specifyএর বানে कि হবে ? এবন किছ कরা নয় যে Government intimation দিল ৰচে আইন অনুসারে কিন্তু তা এখন হল যেতার representation ক্রবার উপবৃক্ত জিনিদ হল না। অর্থাৎ representation এখন ভাষায় দিল যাতে কি যে তাকে representation করতে হবে তা ৰলা নাই। আমাদের সাুরণ আছে যখন আমরা গত mass movementএর সময় জেলের মধ্যে ছিলাব, detained ছিলান তখন বিধান ছিল Defence of India Act অনুসারে ৬ মাস অন্তর একটা Advisory Board detention power সক্ষে পুনরার reconsider করত। এবং সে সমর আরো একটা বিধান ছিল Advisory Boardএৰ ৰতাৰত তাদেৰ জানান হবে এবং detenuered ground of detention specify করবে। এখনও এই জিনিঘটা থাকা অশোভন এবং আমরা দেবছি এঁরা যে আকারে বিলটা করছেন তাতে লেই জিনিঘই খেকে যাচেছ। একষাত্র হতে পারে যদি Governmentএর পরিবর্ত্তন হয়, Governmentএর চরিত্র পরিবর্তন হয়; তবে সে স্বতম্ব কথা, কিন্ধ আপাততঃ সে লক্ষণ দেখা যাচেছ না। Defence of India Rulesa ground specify করার নিয়ব ছিল, কিছ representation করার কিছু ছিল না। যদি चात्रादक वना यात्र त्य "you such and such, are doing or about to do or likely to do some subversive acts, some acts endangering the security of the State, etc., etc."

यनि এটা বলা যাব তাহ'লে যে ভাষা এই clause সহছে পেওয়া হয়েছে সেটা justified হতে পারে এবং সেই রক্বভাবেই satisfy করা হচেছ। আনাকে যদি বলা হয় "you are doing or you are likely to do acts endangering the safety and tranquillity of the State or you are about to organise to further help illegal acquisition, possession or use of arms and ammunitions, etc." তাহ'লে একটা ground পেওৱা হল বটে, কিছু কোৰায় কৰন কার বাড়ীতে চুবি করেছি সে প্রছা, পরিছার ভাষার কিছুই বলা হল না। স্বতরাং এর ভাষাটা আরো পরিছকার ক'রে বলা উচিত। এবানে বলা উচিত "you are doing acts of theft". এটা যদি না হয় ভাহ'লে intimation পেওয়ার কোৰ আর্ব বাকে না। এবং আবার দেখুন যদি High Courts যার ভাহ'লে ultra vires হবে। আবাকে হলি

ৰলা হয় তুৰি চোর তাহ'লে আৰি এই পৰ্যন্ত বলতে পারি আৰি চোর নই। আমাকে যদি বলা যায় তুৰি চোর, চৌর্যারার্য্যে রত আছে, বা তুৰি এমন কার্য্য করছ যাতে চুরি করার সামিল হয় তাহলে আমি কি আর বলতে পারি—-Government পক্ষ থেকে এই রকম হাজার হাজার কারণ থেকান থেতে পারে। স্থতরাং আমি বলছি এটা আপনারা seriously চিত্তা করে দেখুন। এমন কিছু আইন করা সক্ষত হবে না যে আইন High Courtএর রায়ে উলটে থেতে পারে। এটাই হচেছ আমার বলার উদ্দেশ্য এবং এবানে আমার amendment হচেছ "shall specify by facts."

केटमा इटक्क नत्रकात य बक्ते त्वात्थान ना छ। नत्र; आनि वनिष् High Courts शिद्ध यन बिनिष्के। ultra vires ना হয়। Next কথা হচেছ এই উদ্দেশ্য reasonable restriction হচেছ কিনা। High Court ৰলে দিয়েছে আমার representation দেওয়া উচিত, এবং এখানে representation দেওয়ার বিধানও আছে। তারপর একটা Tribunal কিছুদিন পব সেটা বিচার করবে। Tribunalএ বিচার হতে হতে এমন কোনও দিন অভিবাহিত হওয়া উচিত নয় বাতে ৬ মাসের মধ্যে ৩ মাস কেটে বার। এমন হতে পারে যে, তথন Advisory Board দেটা sufficient ব'লে মনে কবলেন না। আমি Governmentক खानका motive impute ना करत धरे अर्थाष्ठ वनरा आदि या, विना grounds द्वार पिराने यन এই অবস্থা না হয়। এই গথমে এমনভাবে বিধান কবা উচিত যাতে ৩ মাগ না গিয়ে ১ মাগ ১॥০ মাগের मत्या वा ये गौर मध्य कम ममत्यव मत्या जात्क representation वय oppurtunity नित्य immediately Advisory Boardaৰ নিকট পাঠান হয়। শেজনা আমাৰ বেমন proposal আছে জন্যান্য বন্ধদেরও তেমনি আছে। আমার এতে আছে যেখানে ১ সপ্তাহ বলা হয়েছে সেখানে এক সপ্তাহ না হোক অন্তত: দই সপ্তাহ ককন। আমাৰ amendmentএর উদ্দেশ্য হল সময় কমিয়ে দিন। ছিতীয়ত:, Advisory Boarda मालगात अब किङ्मिटनन मटशा टीवा कनरवन । Advisory Board পांश्याव ১৫ मिटनव मटशा कनरवन ना কেন ? পুনৰ দিনেৰ মধ্যেই হতে পাৰে। সেখানে তো কোন বিচাৰ হচেছ না। দুইজনে এই জিনিষ্টা দেশবেন, তবে কেন এক সপ্তাহেৰ মধ্যে হবে না ? Tribunal সমস্ত কাগজপত্ৰ দেখে বায় দেবেন।

আবেকটা কথা হচেছ intimation একটা খুব essential জিনিঘ। এটা যেমন একটা বড় জিনিঘ তেমনি আব একটা বড় জিনিঘ হচেছ এই যে, আমি representation কৰাব পৰ সেটা Advisory Boardএ বিচার হবে। এই জন্য constitutionএ একটা বাবস্থা অবশ্য করা আছে। এই constitution অনুযায়ী ৩ জন member তাতে থাকবেন। এই ৩ জন memberএৰ মধ্যে একজন High Courtএর জজ হনেও আর বাকী দুইজন High Courtএৰ জজ হবাৰ যোগ্য এই কথা বাদ দেওয়া হয়েছে। গতকাল এনিয়ে এদিক থেকে অনেক কথা বলা হয়েছে। কোন advocateএৰ দশ বছৰেৰ standing থাকলে High Courtএর জজ হবার যোগ্যভা হয়। High Courtএর জজ বা তক্ষপ যোগ্যভাসম্পন্ন ব্যক্তিদেব হারা Advisory Board গঠিত হওয়া উচিত। অতএৰ, আমাৰ বলবাৰ কথা হচেছ, High Courtএৰ রায়েৰ প্রতিবিধানকবল্প এই যে clause enact করা হচেছ এব মধ্যে সবচেয়ে essential জিনিঘ হচেছ কি grounda restriction করা হল সেটা জানিয়ে দেওয়া, সম্পূর্ণ বিহু জানিয়ে দেওয়া। সেই বক্ষ বিহু বা দিলে শুমুমাত্র আইনের regulation জন্যার্জিপ করা হয়। এটা পবিবর্তন করা উচিত এবং সেজন্য constitution change করা উচিত। High Courtএৰ জজ হ'লেই সবচেয়ে ভাল হয়। অতএব, আমার মূল বক্তব্য হচেছ এই সমন্ত বাপাবাদীয়ে যাতে একমানের বেশী সময় বায় না হয় সেদিকে দৃষ্টি রাখনে ভাল হয়। এ যদিনা হয় তবে High Courtএ যে provision হয়েছে সে provision বঙ্গন হবেনা। এই অবস্থায় যদি বিলটা আইনে পবিপত হয় তাহ'লে আবাবও এই জিনিমটা High Courtএ ultra vires বলে রায় হবে।

Dr. SURESH CHANDRA BANERJI: বিষ্টাৰ স্পীকার, স্যাব, এই ধারাটির বিশেষ উদ্দেশ্য ছিল একটা Advisory Board গঠন। Advisory Board কি করবেন—তার function কি হবে ° যে ব্যক্তি সম্বদ্ধে order দেওৱা হবে সেই ব্যক্তি যে representation পাঠাবে সেই representation স্বদ্ধে বিচাব কর। ৄ হতবাং representationটা হচেছ পুধান জিনিদ, vital matter. এই representation সৈ কিতাবে করবে, i. e., সে বদি জানতে না পারে জিপারাবে এই order দেওৱা হনো তবে সে সেই অপরাধ সম্বদ্ধে কিছুই নিবতে পারে না। কিছ

জানি কাল বলেছি এবং চাৰুবাৰুও বলেছেন বে order বেওনা সৰছে বা করা হরেছে দেটা এড vague বে সে সম্বছে কোন representation দেওৱা সঙ্ব হন না। আনি অনেক শৃষ্টাত্ত লিডে পানি: একটা শৃষ্টাত্ত এবানে দেবো কারণ সেটা Dr. Royও বুব ভাল কোরে জানেন।

একজন শ্রিক, লে Bengal Potteryতে কাজ কবে; দশ বংগর লে কাজ করছে। লে ছঠাৎ এছদিন bonus দাবী করলো, তারা পুতি বংসবেই bonus পেয়ে আসছে, সেই সময় এসেছিল বলে সে গেটের সামনে চেঁচামেটি করেছিল যে আমরা bonus চাই। শুমিকরা এই ধরণের কাজ সর্বদাই ক্তার কিছু তার অপরাধ হল এই যে গে গেন্টের সামনে চেঁচামেচি করে বলেছিল যে আমাদের bonus দিতে ছবে। তার শান্তি কি হল ? মালিকপক তাকে dismiss করলেন, তার দশ বংশরের চাকরী গেল। Dismiss হৰার পর Government কি করলেন? প্রথমে তাকে এই অপরাধে Security Act জ্ঞানসারে দই ৰাস জেলে রাধলেন। কিছদিন বাধবার পর কেন জ্ঞানি না, আমার লেখালেখির ফলে দত্র। করে মধ্য মন্ত্রীমহাশয় তাকে ছেভে দিলেন। ছেভে দিয়ে তাকে করলেন কি ? তাকে বরিশাল জেলায় externed করা হল। He was a refugee of Barisal, সে সেখানে থেকে বাডীঘর ছেডে পালিয়ে গুলেছে অথচ তাকে কেখানে externed করা হল। আমি বারবার মধ্য মন্ত্রীকহাশমকে নিধনাম যে এ একটা সাধারণ শুমিক, তার দশ বংসরের চাকরী গেল, তাকে detained করা হল, তাকে externed করা হল, তার অপরাধ কি? Subversive Act. আমি নিধলার what was his Subversive Act ? তিনি বললেন Subversive Act. আৰি আবাৰ নিধনাৰ was his Subversive Act? जिनि बनाजन Subversive Act. এট Subversive Actbi त्व कि छ। जिनिए स्नातन ना स्नामिश स्नानि ना। स्नवेष्ठ जात्क Subversive Actua ground প্রালা হল। সে শুধ গেটের সাবনে চীংকার করে bonus দাবী করেছিল এবং বলেছিল এটা তাদের ন্যায়সঞ্চত অধিকার। এই তার অপরাধ। যদি সে তার অপরাধ জানতে পাৰতো ভাহৰে শে representation দিতে পাৰতো। শে representation সমূহে Advisory Board विहास कराय ल order जामना পाहिह किंद्ध कि representation जामना (मरना ? জানিনা কি কারণে লে detained হল ? কি কারণে তাকে externed করা হল ? কি তার অপরাধ ? আরার মনে হয় তা Government জানে না, আমরাও জানি না। পুলিশ অফিসার ধরেছে that is enough. जानि की इव if he knows the whole story-why that man was dismissed, why that man was detained, why that man was externed.

আনি জানি না, দেও জানে না। আনি জাের করে বলতে পারি যে এটা মুখ্য ময়ীনহাশনও জানেন না (Sj. Debendra Nath Sen: মানিক dismiss করেছে এই ও মধেই কারণ।) হাঁ, দেইটাই প্রধান কারণ। আনি যে কথা বিজ্ঞানা করেছিনান, তার জবাব কোথার ? আনি বলেছিনার তাকে Calcuttaর ধারে কাছে কোথাও থাকতে দিন। কিছ "he must go to Barisal" এই order হর এইটা fact, absolute fact এবন most important কথা হচ্ছে তাকে পরিজার করে বলতে হবে। (Sj. Debendra Nath Sen: বরিশানটা কি এই Governmentএর jurisdictionএ যে শেখানে তাকে externed করলো?) (Laughter) যার সমত্তে এই order জারী করা হবে, তাকে বলে দিতে হবে যে তুনি এই তারিখে, এই জারগায় এই অপরাধ করেছো, সেই জন্য তোনার উপর এই order গেওয়া হল—তথন সে তার case represent করতে পারে এইটাই হল most important কথা। তারপর বলা হচেছ বে Advisery Board বিচার করবেণ।

जावनात बना इत्तरक् Government मन्ना करत यपि त्कान material त्मन छरवरे इत्त ।

বার উপর order দিয়েছেন, তাকে Advisory Boardএর সন্মুধে উপন্থিত করতে হবে যাতে তাদের নিজেবের কথা বলবার অধিকার বাকে এবং সঙ্গে সঙ্গে সে বিদি চার তাহলে তার নিজের ইচছারত কোন উকীলকে দিয়ে তার কথা বলাতে পারবে—এইটা essential তা না হলে Advisory Board বিচার করবে কি ?

কাৰে কাৰেই এই দুইটা essential—একটা হচ্ছে composition of the Advisory Board গেখানে one of the three members of the Advisory Board must be a High Court Judge. আৰ বাদ বাকী দুইজন যদি High Courtএর Judge না হব ভাহনে they must be distinguished lawyers, বে lawyersরা court4 practice করে। তব lawyers হলেই হবে না ধারা স্থনাম অর্জন করেছেন এই রকম যে কোন ব্যক্তি who may be any man but who may not be a henchman of the Government. এই রকম করনেই হবে না। At least they must be distinguished lawyers of the High Court এইটা করা উচিত। এবং আগে যা বলেছি he must represent the case before the Advisory Board personally or by a lawyer of his own choice. এবং তাকে যদি কোন ধারার ধরা হয় এবং তাকে যদি externed করা হয় তাহনে he must be tried before an open court.

স্থত্বাং এই বৰুম একটা suggestion করা দরকার যেটা good for the Government. যারা কোন অপরাধ করে নি তারা externed হক বা interned হক এ জিনিদ কোন Governmentই চার না। কান্দে কান্দেই Government is to lose nothing by it save and except prestige. Government যদি বলেন must তাহলে অবশা অন্য কথা we have got nothing to say.

Government যদি চান যে যারা সত্যিকারের অপরাধী তারা punished হক তাহলে আমরা যে amendment দিয়েছি সেটা অত্যন্ত ন্যায়। এর বিরুদ্ধে কোন কথাই কোন পক্ষ থেকে বলবার থাকে না।

জানার জীবনে বছবার detained ও externed সৰ কিছুই হয়েছি। Detained হয়ে আৰি বছবার জেলে গিয়েছি। সেখানে থাকা ও থাওয়া যায়, অনুখ করলে ডাজারের ব্যবহা হয়। কিছু externed হলে লে কোথায় থাকরে, কি খারে, অনুখ করলে কি ব্যবহা হরে, তার কোন ঠিক নাই। (The Hon'ble Dr. BIDHAN CHANDRA Roy: তার ব্যবহা হরে।) খুব ভাল কথা জানাপের বরবাড়ী, পোকানের কি ব্যবহা হরে, কোথায় থারে? কোথায় থাকরে? (The Hon'ble Dr. BIDHAN CHANDRA Roy: alternately পেওয়া হরে।) Factory Workerক externed করা হল বরিশালে। গেখানে ডালের খ্রবাড়ী কিছুই নাই। তবে detentiona থাকবার শ্বান আছে থাওয়ার বন্দোবছ আছে। স্কুতরাং এটা একটু ভাল (The Hon'ble Dr. BIDHAN CHANDRA Roy: বালে আড়াই শত চীকা পেওয়া হয়। হাঁ, এটা থারাপ না কিছ externment in some cases is more oppressive than detention.

কান্ধে কান্ধেই আমি বলতে চাই যে এদের open courtএ নিয়ে যাওয়ার ব্যবস্থা করুন। Governmentce আনুরোধ করছি আমার কথাগুলি একটু ভেবে দেখুন কারণ আমার every word is just and reasonable.

**এই** कथा राज जामात्र राज्या (सम कत्राष्ट्र)

Sj. JYOTI BASU: Mr. Deputy Speaker, Sir, this clause is so monstrous that it was very difficult for me to suggest a real amendment to this clause. Therefore I have done nothing but suggested some very minor amendments in order that the time may be less and only the time factor may be lessened. That is the real purport of my amendments. Why? Why I cannot suggest any other basic amendments as some other members on this side of the House have done? Because, Sir, just as the previous speaker has stated, he has been a political victim of the other Government, but he does not know as yet probably from his own personal experience as to what it is to become a victim of this Government. Now I have had that experience. Restriction orders were issued against me: I was detained as well. Therefore whilst I speak on this clause I shall first of all deal with the grounds that are supplied both to the detenus and the people on whom restriction orders were issued, because the restriction orders are alike and the grounds are alike in the vast majority of cases.

Now, Sir, for instance, members on this side have already stated that the grounds may be vague, and I cannot make a representation to the State Government. True. Then one can only deny the charges that are levelled. But I am not prepared to give that amount of credit to the Government that it gives grounds which are merely vague, because what my experience has been is that the grounds are mostly untrue. In my case I found it; in the case of others also I found the same thing. Now, Sir, some Secretary or Under-Secretary or other issues these orders. The Chief Minister does not even look at these orders. Although it is his own department, the Home Department, he has no time for it, he has so many other nation-building schemes that he cannot go into the question of suppression of civil liberties of subjects. What happens? A gentleman sitting in Writers' Buildings he is present here in this House today-would issue an order, and sign it. Now where does he get hold of the reports against the persons whose movements have been restricted. Does he go into the facts? No. He takes his cue from the police, the head of the police probably Hiren Sircar or some other person, and they do not look at it. One fellow right at the bottom, a sub-inspector or one of the miserable and wreched watchers as they are called watches our houses. It is the job of one of these fellows to go and report daily to the office as to what a particular gentleman is doing. Now those reports are collected day after day. Most of these watchers, I have found, are illiterate fellows, and because they get very little as pay they go in for this kind of job. It is a very miserable job, but anyhow they go and submit these reports. Now on these reports one of the sub-inspectors or inspectors sitting in the police office prepares a chart against a particular individual. In this manner it finally goes up to Writers' Buildings. They conclude something and the fat-salaried gentleman sitting there signs it, and sends it on to the person who has been restricted or whose movements have been restricted or who has been detained. Now these fellows, these watchers, have probably been given instructions to submit a report and so they do give a report—it may be true; it may be false—but in most of the cases these reports are false as I found in my case and in the cases of my friends who were with me in jail or who, on release when coming out of the jail gate, were served with such restriction orders. Now for instance we are fold that "you at such and such a time went to Asansol or some such place and prepared bombs." Now what can I say to Such a charge? If I did not go to Asansol and did not make bombs my reply would be in the negative. If I did go to Asansol and did not do anything as alleged, my reply would be modified accordingly. Now with regard to detenus, of course, the High Court Judges have held that they cannot go into the truthfulness or otherwise of the grounds. They are not entitled to go into it under the Preventive Detention Act but I leave it for the time being. Now I can make a representation. I am given by the Hon'ble the Chief Minister that very democratic right, if I am served with an order, to make a representation to that very Government which knowing everything, knowing that everything from top to bottom is false against me, gives me the right to make a representation to the Government. Now naturally the Judges or the other gentlemen who would sit on the Advisory Boards would take it prima facie that the Government is acting bona fide and not mala fide. I have found it in my own case during the last 3 or 4 years, and you are pobably aware of it, Sir, that it is not possible at all to prove the mala fides as far as the Government is concerned. One cannot do it. Therefore the fludges take it that the Government acts bona fide and they will never understand that they act mala fide and even if they may understand it they will never hold that the Government can tell an untruth. Now how can

appear before the Advisory Board and I am not permitted to cross-examine the witnesses or to go into those documents which are prepared against me and which are submitted by the Government before the Advisory Board. Therefore what happens is on that charge-sheet which is given to me I just make a representation denying all those charges wherever they are not true and explaining the position, and I send it on to the Advisory Board. Now the Advisory Board would not give me the chance to appear before it and go together with the members of the Advisory Board into the records which were submitted against me. Therefore what is the use of giving me a chance just to scribble a few lines by way of a representation and it does not mean anything. With regard to the Advisory Board I should say that I have not yet understood it. Of course, I know that certain High Court Judges have sat on the Advisory Boards and they are even today siting on the Advisory Boards constituted under the Preventive Detention Act but I for one have not understood how they have sat and worked on those Boards because the elementary principle of jurisprudence of law and of justice tells us or rather teaches us that there should not be an ex parte decision against anybody. I do not understand how a High Court Judge trained as he in this elementary basic principle of law accepts a job under the Government and sits on the Advisory Board and passes ex parte decision against individuals, against citizens. I have not understood it but there are Judges who sit there. They may be good people, they may be bad people, I do not know. They may be supporters of the Government, they may not be supporters of the Government. We have found that most of the High Court Judges up to this day have fought and stood by the civil liberties of the citizens so far in the habeas corpus cases throughout India. That goes to the credit of the High Court Judges. But when a High Court Judge is told by the Government that he must accept this job and sit on the Advisory Board I have not understood how they can carry on the business because what are the rules when he sits as a Judge. When sitting as a Judge in the Court there are certain precedents by which he goes, there are certain laws by which he goes and under such circumstances I can understand his giving a judgment based on that. But when he sits in the Advisory Board what are the rules? How, for instance, will be judge that a particular individual because such charges are levelled against him therefore he is likely to do a subversive act and therefore I must restrict his movements. What are those rules? We do not know what the rules are. I will give you a recent case. One Patit Paban Pathak of Howrah who is well known to Sri Sushil Kumar Banerjee was a prospective candidate for the coming election in Howrah as a candidate from the Communist Party. Now he is in jail and he is being detained without trial. This gentleman is a trade union leader. What was his offence? He was in the midst of a dispute between the union workers and the management and suddenly he finds that he is arrested by the police. Then he is taken to court and placed before a Magistrate. Although his bail is opposed the Magistrate may give him bail but his movements must be restricted and so they extern him under a conditional bail. The Magistrate externs him from Howrah and tells him that he must live in Calcutta till his case is not settled. After a while we know that there was no case against him and nothing could be proved in an open court. When he came to me and narrated the tale I told him that "you will be put in jail without trial" (based upon my own experience) "and there would be no necessity for you to engage a lawyer to defend you." He gave me certain facts and on the basis of that I came to the conclusion as I was saying and that with regard to these elections he would have to go to jail and within two weeks the case was dismissed by the Magistrate and naturally the externment order lapsed and he was taken to jail

and detained without trial. He is a detenu now. Now coming to the point, unless one can go into the records of those police watchers or sub-inspectors and inspectors, unless the man charged against gets this opportunity to go through them and to refute the charges where necessary, the mere making of a representation by him will not help him much. Certain Congress leaders also probably go to the police and report certain facts against a certain individual for which he is arrested and in such cases unless he can go through the whole record of the case it will not be possible for him to disprove anything or to prove anything. That is the difficulty with regard to the grounds which will be supplied to the person whose movements will be restricted. Therefore I do not think that even by suggesting that some specific grounds based on facts should be given to the person affected, things will much improve. However, since these amendments have been given by certain members on this side I would support them. But I do not personally think, because of my experience for the last 3 or 4 years, that that would in any way improve the situation as far as this particular aspect is concerned, In this connection the time-factor is very important. Now you restrict the movement of a particular individual and three weeks pass by before anything happens. Then that gentleman makes a representation and then it goes to the Advisory Board. Then another two months would elapse before the Advisory Board would be able to give its opinion and that means that already about 2½ months or 3 months would go by, a point which has already been made by Sri Charu Chandra Bhandari. I do not see why, if only papers are to be looked into, such a long time should clapse. But the Government knows that there may be good people on the Advisory Board or may not be supporters of the Government and so it makes the provision so that either way it wins, namely, that at least for 3 months that gentleman's movements would be restricted. They have seen to it and then if the Advisory Board agrees with the Government, it goes on for six months, but that is another thing. So in my amendment I have suggested that at least this time-factor should be shortened. Then with regard to appointment of persons who are entitled to be Judges of the High Court that point has already been made and I do not want to go into that.

But, lastly, my other point is that Dr. Roy tried to make out a point yesterday saying, "My Government is such a democratic Government that it is at the most passing such a legislation whereby some people would be detained without trial and some others' movements would be restricted. They will only either be externed or interned. I am not killing out or liquidating such people". That is the point that he has made. But of course that is a new concept of democracy. I am glad to learn from the Chief Minister and other stalwarts on the other side that they do not wish to liquidate the people, and in that they do not agree with the totalitarian states in other parts of the world. It is a good thing to hear such remarks from the Chief Minister and other Ministers. At least our lives may be saved but is our freedom not as important as our lives to the Hon'ble the Chief Minister and his friends like Janab Khuda Bukhsh and others? It may be that their freedom is not as important as their lives but if my movements are restricted and if I am not allowed to speak and move about as I wish, then what is the point in my life I do not understand. And that was the case, as I was telling you, when I came out of jail and I was served with an externment order. As a political individual and a member of the legislature I was given charges wherein it was stated: "You must not address public meetings". I ask, then what am I to do? What is my job then? I become unemployed.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Practise in the High Court.

81. JYOTI BASU: I am not going to go by your advice. I know that there are Ministers who have made money through business and other means that I shall not mention. But I am a professional revolutionary and my job is to overthrow this Government and to speak to the people and to convert them to Communism and Socialism. If I am stopped from doing that and from speaking, then what is my life worth? If they do not let me do that and such restrictions are imposed upon me I have to find out other means whereby I can approach the people and I shall surely do that. In 1948 when I was forced to go underground I never departed from my people. I stayed with them and moved about with them in a restricted manner as much as possible. But surely that is not democracy. I think the Opposition should be given a chance. Therefore I say this is a new concept of democracy where restriction orders, externments and internments are popularised as part of democracy. But I say it is incompatible with democracy. It has never happened anywhere in the world. I have said and I repeat today, the Hon'ble the Chief Minister does not know what democracy is. How should he know? He has never been a politician. He is a physician and a doctor about which I have nothing to say.

# Mr. DEPUTY SPEAKER: May I know how long you will take?

8j. JYOTI BASU: Another two minutes, and after that you can stop for prayer adjournment.

Even in his old age I would advise Dr. Roy, if he remains in politics, to study democracy. If he does and if he wishes I can supply him with books.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Thank you. Will it be free of charge?

8j. JYOTI BASU: Yes, and he has his friends who also can go to meet and teach him a little bit of democracy. It will help him much.

(At this stage the House was adjourned for 15 minutes.)

# (After adjournment.)

8j. HEMANTA KUMAR BASU: স্পীকাৰ মহোদম, আমার amendmentটা হ'ল সরকাবেব কাছে যে সমন্ত কাগজপত্র থাকবে, সেগুলি সমন্তই High Court এর কাছে উপস্থিত করতে হবে এইটাই ঐ clause এব মধো add কবে দিতে হবে।

ব্যক্তিকত অধিকারকে কুণু করবার জন্য বেন জোর করে করা হরেছে, ঠিক বিধিনংগত ভাবে নর ! High Courtই হোক বা Supreme Courtই হোক, দেখানে তাদের যা বক্তব্য দেটা বলবার স্থ্যোগ দেওৱা উচিত। কারণ ব্যক্তিগত অধিকার রক্ষা করবার একমাত্র ছান হচেছ Court বা High Courtএর বিচারকরা। Court এর বিচারকরা অনেক সময় সরকারের মুখাপেকী না হরেই জনেক বিষর বিচার করেছেন। দেই জন্য আহার এই clauseএর মধ্যে পরিম্কারতাবে রাখতে চাই যে সরকার পক্ষে যে সময়ত কাগজপত্র বা নথিপত্র পাক্তে কেওলি High Court এর কাছে উপন্থিত করা হবে। এখানে যথেই সক্ষের করবার কারণ রয়েছে কারণ, কোন কাগজপত্রি তাদের কাছে দেবেন বা না দেবেন দেটা সরকারের ইচছাকৃত এবং আইনে না বাঁধে এই রক্ষ সন্ধ কাগজপত্র হয়ত তাঁরা উপন্থিত করবেন। স্থতরাং পরিম্কার করে যদি এটা আইনে দেওয়া না পাকে তাহনে সকল কাগজ হয়ত তাঁরা উপন্থিত করবেন না।

বে তাবে security বলীদের জন্য বিচারপদ্ধতি হয়েছে, সেই পদ্ধতি নোটেই সন্তোষজনক নয়। সেইজন্য এই clausebi পরিম্কারতাবে নিখে দিতে চাই। হয়ত কোর্ট চাইলে সমন্ত কাগজপত্র পাবেন, কিছ যদি পরিম্কারতাবে এই কথা নেখা থাকে যে নামনা সম্পর্কে সমন্ত কাগজপত্র কোর্টের সমুখে উপস্থিত করতে হবে তাহনে দেখা যাবে যে তাতে কতকটা স্থবিচার হবে।

जबिक 'विर्वाहना करते वाति और clause है। add कत्रा वनिष्ट ।

Janab MD. KHUDA BUKHSH: Mr. Speaker, Sir, I am afraid my friends opposite are under a misapprehension in regard to their amendments in respect of 21A(1). Sir, they have said that instead of three weeks provided for the person who is served with an order under this Act to submit a representation to the State Government for transmission to the Advisory Board, it should be reduced to a lesser period. I really cannot understand, Sir, why my friend Sri Jvoti Basu and others should not be able to understand something which is in plain English. Sir, nothing debars the man who is served with a restrictive order from sending his representation to the State Government for onward transmission to the Advisory Board in less time than three weeks. Here, Sir, I feel that enough time should be given to the person who is served with an order under this Act to frame a reply. Sir, they have said that the charges that are given to them, the charges preferred by Government, when they are communicated to them, they are vague and they often do not understand the implications of those charges. It is only for that reason that the Government have given them enough time, namely, three weeks to frame their reply as to what they should submit in reply to the charges to the Advisory Board.

Talking about grounds, Sir, my honourable friends opposite have said in their amendments that they should be specific about facts. I should have thought that they would say by an enumeration of facts. This matter is not going to the State Government for looking into. The State Government, if I may be permitted to say so, in this regard are acting as post office. The State Government prefer the charges, they communicate those charges to the person on whom the order is served and collect his reply and transmit it to the Advisory Board. Here it is really the Board that is concerned with the grounds. If specific ground or grounds supported by facts are not given, it is then for the Advisory Board to come to a finding and if the Board is not satisfied about the specific charges or about the definiteness or otherwise of the charges levelled against that particular individual, well, the Advisory Board would be free to recommend to Government to release him.

Sir, in respect of the amendment moved by my honourable friend Dr. Banerji that instead of persons who are qualified to become High Court Judges it should be specified that two distinguished lawyers should form part of the Advisory Board, I really cannot appreciate the argument advanced by him. Here no fine legal principle is involved, no fine points of jurisprudence are involved. Here men of sturdy common sense, honest and

intelligent men who can come to a finding on a point of fact should suffice, but here not only do we ensure the impartiality of the Advisory Board by taking men who are not only possessed of robust and sturdy common sense, who are independent and honest in their habit of thinking, but, Sir, they should be qualified to become Judges of the High Court. That ought to satisfy my honourable friends opposite.

My honourable friend Sri Jyoti Basu said that if he is detained—I really do not understand why he should be so afraid about the provisions of this Act. I am quite sure these are not going to apply to him if he does not take it into his head to come under the mischief of (i), (ii), (iii) and (iv). I do not know why he should be afraid of this. Sir, he said that he is afraid. I really do not know why he should be afraid because I am quite sure he would not try to subvert the security of the State or disturb the peace and tranquillity of the country, but should he try to do so it is only right that he should be brought under the purview of this Act. This should be no respector of persons. If I were to try to subvert the security of the State I should not mind if I came under the operation of this Act. My friend has said that he would become unemployed should he be detained. I do not know if agitation and lecturing to people have become his profession. I should have thought that he was a member of the Hon'ble High Court and he was a practising member there. I do not know that he has reduced himself to the state as to have made his being a demagogue by his profession. Again, Sir, he has said "freedom to us is more valuable than our lives". I do not know if a criminal who is trying to subvert the State, if he is trying to disturb the peace and tranquillity of the State, if he is trying to incite a riot, he should be allowed and entitled to think that his freedom is more valuable than his life. Even to these persons we have conceded the right to live. In other countries, perhaps for good reasons, they have other principles to be guided by, but here, Sir, we have even conceded those criminals, those anti-social elements, those enemies of the State who would thrive by subverting the tranquillity and security of the State, their lives and we have in this amending Act sought to restrict their movements, to intern and extern them in the larger interests of the country.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I do not think I should detain the House with comments on the amendments. I think I should put before the House the exact position of the Government. It seems that the members who have given amendments are anxious that not much time should be lost between the time of issuing the order and the decision of the Advisory Committee. Therefore, Sir, the Government re-considered its position and the Chief Whip has given an amendment. The ordinary provision of the Act was that three weeks' time should be given to a detained person for giving his reasons. There is a very good reason why we said three weeks, because we felt that it was necessary in the interest of the detained person, because by the time the order is issued he may take a little more time to think it over and prepare his grounds. My friend Janab Khuda Bukhsh has said that three weeks' time is the limit, and that he may give it even earlier. The limit has been given in my way of thinking for the purpose of enabling the detained person a little time to think over and prepare his answers to the charge. One week's time has been allowed to the Government for re-arranging the reasons and sending them on to the Advisory Committee. The third process was that the Advisory Committee was allowed two months. Sj. Charu Chandra Bhandari has suggested that it should be one month. Government will accept that amendment, so that the total period will be one month plus one month, i.e., two months altogether. We gave two months to the Advisory Committee, because we felt that perhaps the Advisory Committee would like to go into details

of each case, get a representation from the individual and ask him certain questions if necessary and thereby come to a right decision. That is why we allowed two months to them, but as my honourable friends opposite think that two months will probably be too long, therefore we are prepared to accept that amendment for reducing two months to one month. We hope the Advisory Committee will find time within that period to consider and come to a decision.

The second point that has been raised is regarding the formation of the Advisory Committee. We have suggested that there should be one person who is a Judge or had been a Judge or capable of being a Judge. An amendment has been moved by Sj. Susil Kumar Banerjee which is practically the same as the one moved by Sj. Jyoti Basu that instead of one, two of them should be persons who are either Judges or had been Judges or fit to be Judges. In this connection Sj. Charu Chandra Bhandari suggested men who had been or are sitting Judges. In practice we find that it is very difficult sometimes to find ex-Judges. As a matter of fact, if we want a Judge to sit on any particular committee, it is very difficult to get any. There are so many Tribunals, e.g., Income-tax Tribunal, the Labour Tribunal and so on that every Judge is employed and often times we have to wait a long time before we can form the Advisory Committee. Therefore we suggested that instead of all of them being Judges or ex-Judges of the High Court—those who are Judges or ex-Judges or those who are fit to be Judges, at least two of them must be so. That is why Sj. Susil Kumar Banerjee has moved an amendment which we have accepted.

The third point is Sj. Jyoti Basu's amendment to sub-section (8), namely, "Nothing in this section shall be deemed to require the State Government to disclose, etc.". We have accepted that amendment, because we felt that if the Advisory Committee—and not the High Court as Sj. Hemanta Kumar Basu says as the High Court does not come in this Bill at all—wants information about any particular points we have to give them. Therefore we are prepared to accept that amendment of Sj. Jyoti Basu to sub-section (8).

With these words, Sir, I move that the section, as amended, be passed.

The motion of Sj. Charu Chandra Bhandari that in clause 4(1) in proposed section 21A(1), line 2, after the word "specify" the words "by facts" be inserted, was then put and a division taken with the following result:—

# AYE8-13.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti. Bhandari, Sj. Charu Chandra Bose, Brijukta Biyabati Chatterjee, Sj. Haripada Choudhury, 8j. Annada Prosad De, 8j. Kanai Lai Ghose, 8j. Bimai Comar Ghosh, Dr. P. C. Muhammad Idris, Janab. Sen, 8j. Debendra Nath

## NOE8-44.

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hen'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass Gupta, Sj. Khagendra Nath
Dass, -Sj. Kanailai
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hen'ble Niharendu

Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Sayed Mia, Janab
Mahammty, Sj. Charu Chandra

Maiti, The Hen'ble Nikunja Behari Majhi, Sj. Nishapati Majumdar, The Hon'ble Bhupati Mai, Sj. Iswar Chandra Maillok, Sj. Ashutosh Mandal, Sj. Annadaprasad Mandal, Sj. Umesh Chandra Mookerji, The Hon'ble Kalipada Mudassir Hossain, Janab Murarka, Sj. Basantial Naskar, Sj. Ardhendu Sekhar Naskar, The Hon'ble Hom Chandra

Panja, The Hon'ble Jadabendra Nath Piatel, Mr. R. E. Pramanik, Sj. Rajani Kanta Rafuddin Ahmed, The Hon'ble Dr. Roy, The Hon'ble Dr. Bidhan Chandra Roy, Sj. Jajmeswar Roy Sarkar, Sj. Birendra Nath. Roy Singh Sarkar, Sj. Satish Chandra Sen, The Hon'ble Prafulla Chandra Shamsul Huq, Janab Sinha, The Hon'ble Bimal Chandra Zaman, Janab A. M. A.

The Ayes being 13 and Noes 44, the motion was lost.

The motion of Dr. Suresh Chandra Banerji that in clause 4(1) in proposed section 21A(1), line 4, for the word "grounds" the words "specific grounds in detail" be substituted, was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in clause 4(1) in proposed section 21A(1), line 8, for the word "three" the word "two" be substituted, was then put and lost.

The motion of Sj. Jyoti Basu that in clause 4(1) in proposed section 21A(I), line 8, for the words "three weeks" the words "ten days" be substituted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 4(1), after the proposed section  $21\Lambda(2)$ , the following be inserted, namely:—

"21A(2)(a). The person in respect of whom the order is made shall have the right of appearance and audience and shall also have the right to be represented by a lawyer of his choice before the Advisory Board", was then put and a division taken with the following result:—

#### AYE8-12.

Bandyopadhyaya, Sj. Pramatha Nath. Banerji, Dr. Suresh Chandra. Basu, Sj. Hemanta Kumar. Basu, Sj. Jyoti. Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad. De, Sj. Kanai Lal Ghose, Sj. Bimal Comar Ghosh, Dr. P. C. Sen, Sj. Debendra Nath

## NOE8-42.

Abdullah, Janab S. M. Abdus Shokur, Janab Banerjee, Sj. Sushii Kumar Bhattacharyya, Sj. Shyamapada Chaudhurt, The Hon'ble Rai Harendra Nath Das, Sj. Radha Nath Das Gupta, Sj. Khagendra Nath Dass, 8]. Kanailai Dolui, 8j. Harendra Nath Dutt-Mazumdar, The Hon'ble Niharendu Ganguli, Sj. Bepin Behari Gayen, Sj. Arabinda Gupta, Sj. J. C. Kazem Ali Mirza, Janal Kawan Jah Salyid Janab Shahibzada Khuda Bukhsh, Janab Md. Mahammad Kased Ali, Janab Mahanty, Sj. Charu Chandra Maiti, The Hon'ble Nikunja Behari Majhi, Sj. Nishapati Majumdar, The Hon'ble Shupati

Mai, Sj. Iswar Chandra
Mailick, Sj. Ashutosh.
Mandai, Sj. Annadaprasad
Mandai, Sj. Umesh Chandra
Mookerji, The Hon'ble Kalipada.
Mudassir Hossain, Janab
Murarka, Sj. Basantia!
Naskar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Platel, Mr. R. E.
Pramanik, Sj. Rajani Kanta
Rafuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath.
Roy Sarkar, Sj. Satish Chandra.
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimai Chandra

The Ayes being 12, the Noes 42, the motion was lost.

The motion of Dr. Suresh Chandra Banerji that in clause 4(1), in proposed section 21A(3), lines 3 and 4, after the words "Government, and" the words "and also hearing the person in respect of whom the order is made and/or his lawyer and" be inserted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 4(1), in proposed section 21A(3), lines 5 to 7, the words "or from the person in respect of whom the order was made" be omitted, was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in clause 4(1), in proposed section 21A(3), line 8, for the word "two" the word "one" be substituted, was then put and agreed to.

The motion of Sj. Jyoti Basu that in clause 4(1), in proposed section 21A(3), line 8, for the words "two months" the words "three weeks" be substituted, was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in clause 4(1), in proposed section 21A(5), line 3, for the word "six" the word "three" be substituted, was then put and lost.

The motion of Sj. Jyoti Basu that in clause 4(1), in proposed section 21A(5), line 3, for the words "six months" the words "two months" be substituted, was then put and a Division taken with the following result:—

### AYE8-12.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar N Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati

Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Ghose, Dr. P. C. Sen, Sj. Debendra Nath

#### NOE\$-41.

Abduliah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das, Sj. Kanailal
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Gayen, Sj. Arabinda
Gupta, Sj. J. C.
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Kased Ali, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati
Maj, Sj. Iswar Chandra

Mailick, Sj. Ashutosh.
Mandal, Sj. Annadaprasad
Mandal, Sj. Krishna Prasad
Mandal, Sj. Umesh Chandra
Mookerjee, The Hon'ble Kalipada
Mudassir Hossain, Janab
Murarka, Sj. Basantial
Naskar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Platel, Mr. R. E.
Pramanik, Sj. Rajani Kanta
Raĥuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath.
Roy Sarkar, Sj. Birendra Nath.
Roy Singh Sarker, Sj. Satish Chandra.
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Zaman, Janab A. M. A.

The Ayes being 12 and the Noes 41, the motion was lost.

The motion of Sj. Charu Chandra Bhandari that in clause 4(1), in proposed section 21A(6), lines 4 to 7, for the words beginning with "one of whom shall be a person" and ending with "as a Judge of a High Court" the words "two of whom shall be persons who are or have been Judges of a High Court" be substituted was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in clause 4(1), in subsection (6) of proposed section 21A, in lines 4 to 7, for the words "one of

whom shall be a person who is or has been or is qualified to be appointed as a Judge of a High Court" the words "two of whom shall be persons who are or have been or are qualified to be appointed as Judges of a High Court" shall be substituted was then put and agreed to.

The motion of Sj. Jyoti Basu that in clause 4(1), in proposed section 21A(6), line 4, for the words "one" the word "two" be substituted was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 4(1), in proposed section 21A(6), lines 5 to 7, for the words beginning with "person who" and ending with "High Court" the words "High Court Judge or a retired Judge of the High Court and the other two must be distinguished lawyers of the High Court" be substituted, was then put and a division taken with the following result:—

## AYE8-12.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti. Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad. De, Sj. Kanai Lai Ghose, Sj. Bimal Comar. Ghosh, Dr. P. C. Sen, Sj. Debendra Nath

#### NOE8-40.

Abduliah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass, Sj. Kanailai
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Gayen, Sj. Arabinda
Gupta, Sj. J. C.
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majit, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Maj Sj. Iswar Chandra
Mailio, Sj. Ashutoeh.

Mandai, Sj. Annadaprasad
Mandai, Sj. Krishna Prasad.
Mandai, Sj. Umesh Chandra
Mookerji, The Hon'ble Kalipada.
Mudassir Hossain, Janab
Murarka, Sj. Basantiai
Naskar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra.
Panja, The Hon'ble Jadabendra Nath.
Piatei, Mr. R. E.
Pramanik, Sj. Rajani Kanta.
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath.
Roy Singh Sarkar, Sj. Satish Chandra
Sen, The Hon'ble Prafulia Chandra
Shamsui Huq, Janab
Sinha, The Hon'ble Bimai Chandra
Zaman, Janab A. M. A.

The Ayes being 12 and the Noes 40 the motion was lost.

The motion of Sj. Jyoti Basu that in clause 4(1), in proposed section 21A, sub-section (8) shall be omitted was then put and agreed to.

(When Mr. Speaker was going to put motion No. 26 of Sj. Hemanta Kumar Basu to vote.)

Janab MD. KHUDA BUKHSH: On a point of order, Sir,

Mr. SPEAKER: What is the point of order now?

Janab MD. KHUDA BUKHSH: The point of order is that when we have accepted motion No. 24 of Sj. Jyoti Basu omitting sub-clause (8), this amendment standing in the name of Sj. Hemanta Kumar Basu need not be moved because the sub-clause stands omitted and this amendment, therefore, becomes out of order.

Mr. SPEAKER: Yes, motion No. 26 falls through.

The question that clause 4, as amended, do stand part of the Bill was then put and a division taken with the following result:—

#### AYE8-41.

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass, Sj. Kanalial
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Gayen, Sj. Arabinda
Gupta, Sj. J. C.
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab
Mahamty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majumdar, The Hon'ble Bhupati.
Majumdar, The Hon'ble Bhupati.
Mai, Sj. Iswar Chandra

Mallick, Sj. Ashutosh.
Mandai, Sj. Annadaprasad
Mandai, Sj. Krishna Prasad.
Mandai, Sj. Umesh Chandra.
Mookerji, The Hon'ble Kalipada.
Mudassir Hossain, Janab.
Murarka, Sj. Basantalai
Naskar, Sj. Ardsendu Sekhar
Naskar, The Hon'ble Hem Chandra.
Panja, The Hon'ble Jadabendra Nath.
Platei, Mr. R. E.
Pramanik, Sj. Rajani Kanta
Rafuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, Sj. Jajneswar.
Roy Sarkar, Sj. Birendra Nath.
Roy Sarkar, Hon'ble Prafulla Chandra.
Shamsul Huq, Janab.
Sinha, The Hon'ble Bimai Chandra.
Zaman, Janab A. M. A.

#### NOES-12.

Bandopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra. Basu, Sj. Hemanta Kumar. Basu, Sj. Jyoti. Bhandari, Sj. Charu Chandra Basu, Srijukta Bivabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad. De, Sj. Kansi Lai Ghose, Sj. Bimai Comar. Ghose, Dr. P. C. Sen, Sj. Debendra Nath

The Ayes being 41 and the Noes 12 the motion was carried.

# Clause 5.

The question that clause 5 do stand part of the Bill was then put and agreed to.

# Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

- 8]. JYOTI BASU: Will you adjourn the House now, Sir?
- Mr. SPEAKER: Let the Hon'ble Minister move his motion.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I beg to move that the West Bengal Security (Amendment) Bill, 1951, as settled in the Assembly, be passed.

- Mr. SPEAKER: May I know as to whether we should proceed further with the discussion of this Bill? Can we sit till 7-30?
- Dr. P. G. GHOSH: Sir, we can sit up to half past seven, if the other side likes it.
  - Mr. SPEAKER: All right.
- Dr. P. C. CHOSH: Mr. Speaker, Sir. I had no intentions to intervene in the debate but for the illuminating speeches of the Chief Minister and of my friend Mr. Zaman. The Chief Minister has quoted from my speech of 1948 that the Security Bill, whoever may be the Prime Minister, would be necessary for some time, but one must remember that some time is not

all time. They want to perpetuate it for all time, as long as they exist. I said clearly, when it was on the anvil, that the Security Act would be for a maximum period of two years—one year by the Statute and one year by a resolution of the House if need be. I thought that whichever Government may be there, the Government would work in such a manner that it would not be necessary for more than two years. But today after about four years we are constrained to say, "No, no. It is further necessary." "A more stringent Security Act is necessary." That is a poor compliment to the Government.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Were the two years' limitation mentioned in the Security Act?

Dr. P. C. CHOSH: Sir, I would request the Judicial Minister not to interrupt me, as I cannot hear him and even if I can hear him and give reply to the interruptions, it will mean that I shall have to take more time of the House. Sir, I request the Chief Minister to read my speech carefully as he has quoted from my speech. In that speech which he quoted I said at the very outset "I do feel that this kind of legislation is not good, but it is a necessary evil." I said so. ('Hear, hear' from the Treasury Bench.) (The Hon'ble Rai HARENDRA NATH CHAUDHURI: So do we.) I am very glad that my friend Rai Harendra Nath Chaudhuri says so. But after 4 years I do say that if it was bad then it is worse today. Therefore I thought that they would not bring this Bill in this amended form making it more stringent. Not merely that. I gave the assurance to the House both as the Home Minister and the Chief Minister that these things would not apply against any party. There was a little bit of reference to the Communist party also. If you will read my speech carefully you will find that I said -inv friends have said that communist will fall under the purview of this law. I said "if any communist" please mark the words "if any communist" not the communist party as a whole "hobnob with any foreign Imperialist State or any foreign totalitarian state and wants to bring it here, he will certainly fall under this law." So it is not meant against any party. If any one does a violent act he must certainly come under this category. When the present Government declared the Communist party to be illegal in West Bengal, I certainly felt very unhappy, I must frankly confess that I have not kept it a secret. I was glad that the High Court declared that action of the Government as ultra vires. (The Hon'ble Niharendu Dutt-Mazumdar: That is a thing of the past.) I have to refer to it, because you have also referred to the past. You have become static in mind. You have referred in 1951 to what I stated in 1948. Perhaps the Judicial Minister will quote that in 1954 and my younger friend Janab Abdullah and my friend Janab Zaman will quote it 1960, so that it may be perpetuated for ever.

Then, Sir, a reference has been made to the election. We have been told that this is all part of our election propaganda. The Hon'ble Chief Minister has accused Sj. Hemanta Kumar Basu that he was making election propaganda when he referred to the Calcutta election. But I must say that the Chief Minister himself is guilty of the same offence when he quotes a telegram regarding the Burdwan election. But as I said earlier it is not an oftence unless it is irrelevant within the House. The question is whether this is relevant or irrelevant, whether it is germane to the point or not. So I would beg of you not to think that others are doing this as a part of tactics of election propaganda. You are not doing disinterested performance of duty here. Therefore, Sir, if anybody refers to any election propaganda, there is nothing wrong in it and I would not have referred to it but as it has been repeatedly referred to—even today the Hon'ble Chief

zinister referred to the Burdwan election. But I may say, Sir, that this election has been held on separate electorates of the Muslim members. In the Muslim constituencies the Congress have got the majority, but in the Hindu constituencies nowhere the Congress have got the majority of votes. The reverse was the case in 1946 in the general election. In the district boards election in Burdwan and Birbhum the Congress had absolute majority before. Now the Congress have not barely 40 per cent, of the seats. So the position has reversed. I would give you another fact. In Howrah election on the polling day 10 members who were supporting the candidate against the Congress were arrested on charges of distributing inflammatory leaslets, etc. Sir, they could be arrested on the previous day and given bail the next day so that they could work for the candidate but that was not done. The Government could not even substantiate the charge and there was nothing in the case. However, the result was that Congress got only 300 votes more. Therefore if the people are to be arrested in this manner, I do not know how we could have fair election. Therefore we feel difficulties about these things.

Then, Sir, I may give you my own case. I was to preside at a conference in Burdwan—

- Mr. SPEAKER: Would it not be better if you come to the Bill itself. I think you have said enough on that subject. This is the third reading of our Bill—West Bengal Security Amendment Act. Therefore will you come to the Bill itself. I think sufficient discussion has been held over that extraneous matter.
- Dr. P. C. CHOSH: But, Sir, nobody has referred to the Howrah election. I am present in the debate all along and so what I have been stating is all new and is germane to the point. But I must bow down to your ruling——
- Mr. SPEAKER: Reference was made by one party or the other about the prospect of winning the election over the other party and you have alluded to it. Strictly speaking that has nothing to do with the present Bill. So please come to the Bill itself.
- Dr. P. C. CHOSH: Sir, in developing my point these things are necessary. So you will kindly give me this opportunity.

Sir, the way in which the Government is working we are apprehensive and we do not want to give this power to them. Now, Sir, as I was giving my own case—how I was put to some difficulty while going to preside over a conference at Burdwan. Some extra-zealous Congressmen just like my extra-zealous friend Mr. Zaman who was stating yesterday that the peace must be kept during the election, as if he was the guardian of law and order and as if he was himself the Home Minister. If every member on the other side becomes the Home Minister instead of there being law and order there would be anarchy and chaos in this country. Now, Sir, this Congressman went to the District Magistrate and suggested to him to declare section 144 with a view to prohibit the meeting and this was at a time when I was a member of the Congress Working Committee and also a member of the Congress Party. That is the irony of things! The Magistrate, however, was intelligent and he said he could not do anything as I was doing it as a member of the Working Committee. The Magistrate told them that if he did anything probably he would ultimately lose his job but he told them that if they could take the Minister's order he could stop the meeting. So, these things are done by Congressmen. Therefore I would request my friends not to be guardians of law and order themselves.

There are many officers who submit to the dictation of these Congressmen and there are some who do not. (Sj. Anandilal Poddar: What is the wrong in it?) My friend says "What is the wrong in it? But he does even the impropriety of it. I was then in Congress and was a member of the Congress Working Committee and a Congress member of this Legislature. So a Congress member could not go against a member of the Congress Working Committee. It was also said that it was a communist move and therefore I was branded as a communist but I do say, Sir, we are living in a very bad time. Even Sir Jawaharlal Nehru has been branded as a communist and a communalist by one who was a Home Minister, Mr. D. P. Misra. Therefore we are becoming afraid whether tomorrow something will be said that you have violated public order or committed acts of violence and you must be detained. There is something like the expression "tending to incite". So day by day not merely we are thinking that we should do away with the Security Act as an evil, but we are tightening and tightening the Security Act and therefore our democracy is becoming more and more totalitarian, just as the Weimer Constitution which was held as one of the most democratic constitutions was utilised by Hitler. Therefore I object to the passing of this Bill even at this late hour as it is not necessary. There is a contention. Dr. Roy says that they will come in a majority and the Congress need not fear. The other side says that they will come in a majority and so they are not afraid. If you are going to be successful you can bring it after three months and then you can put all the members of the opposition under detention as they were demanding for giving food to the people. But I do say if this sort of thing continues, if application of section 144 and things like that are done in the country, then it will be my hard duty to to the State. I am loyal to the disloyal people if loyalty to the people means disloyalty to the State I shall be disloyal to the State. I hope Government should behave in such a way that they could get our loyalty. If the Government wants to assure us that whatever the Bill they will not apply it in such a way that it will go against any political party and that the intention of the Government is not to go against any political party, they should convince us by facts that it would be so. I have illustrated by two examples and things like that and I have said so in clear terms.

Coming to the point of High Court Judges—not High Court Judges but those who are fit to be High Court Judges and Advisory Board of three members, I can tell them that I am not a child. I know that Government can have two or three men of their choice and they will give a verdict as Government will dictate. So it will depend on the honesty of the Government. I find my friend Mr. Bhupati Majumdar nods his head; I do not know whether it is in approbation or disapprobation.

#### The Hon'ble Dr. BIDHAN CHANDRA ROY: Both (Laughter).

Maximdar can have any number of lawyers who can give a verdict as he wishes them to give. Therefore I do say, Sir, "those who are fit to be High Court Judges" is an expression which means nothing. I have some little experience as to how these Detention Acts operate, how things go on. Therefore I do request them to leave the matter to the Judiciary. Let the High Court select the personnel. They may or may not be High Court Judges but they will belong to the Judiciary and they will come under the direction of the Chief Justice of the Calcutta High Court and not be appointed by the Government. We find that even at the last moment you can introduce certain amendments. So you should act in such a way

that you can do this, so that people may think that you are above board. Not merely you should act properly but people should feel that you are acting properly. That is the fundamental point, and I appeal to the House not to make the Security Act stricter and stricter but less and less strict so that there may not be any necessity for a Security Act. If you govern well, there will be no necessity of it but if you cannot govern well there will be necessity of the Security Act for ever, and it will become the grave of any Government in any country. And not merely that but bloody revolution will come if you want to perpetuate the Security Act.

With these words, Sir, I oppose the whole Bill, and I do hope the Chief Minister will consider these points.

#### Adjournment.

The House was then adjourned at 7-22 p.m. till 3-30 p.m. on Wednesday, the 26th September, 1951, at the Assembly House, Calcutta.

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## Proceedings of the West Bengal Legistative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 26th September, 1951, at 3-30 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswfr Das Jalan) in the Chair, 11 Hon'ble Ministers and 63 members.

#### Oath\_

The following gentleman took the oath: —

Janab Mohammad Hossain.

#### STARRED OUESTION

(to which oral answer was given)

### Accidental death of a palm-juice tapper at Mowgram Palm-gur Centre, Burdwan

- \*20. 8j. CHARU CHANDRA BHANDARI: (a) Will the Hon'ble Minister in charge of the Industries Department be pleased to state whether it is a fact—
  - (i) that one Srinibash Mandal of Mankhanda, police-station Diamond Harbour (24-Parganas), was appointed as palm-juice tapper under the Gur Department of the Directorate of Industries and employed at the Mowgram Palm-gur Centre in the district of Burdwan during the palm-gur session, March-June of 1950;
  - (ii) that he died from an accidental fall from a palmyra tree while on duty, engaged in tapping a palmyra tree on the 6th April, 1950;
  - (iii) that the deceased left behind him his wife and four children; and
  - (iv) whether the widowed wife of the deceased submitted a petition to the Government for a grant for the maintenance of the dependants of the deceased palm-juice tapper?
- (b) If the answer to (a) be in the affirmative, will the Hon'ble Minister be pleased to state—
  - (i) what action, it any, has been taken or proposed to be taken by the Government with regard to the matter; and
  - (ii) whether the Government consider the desirability of making an adequate grant for the maintenance of the dependants of the deceased palm-juice tapper?

# The Hon'ble Dr. BIDHAN CHANDRA ROY on behalf of the MINISTER-IN-CHARCE of the INDUSTRIES DEPARTMENT (the Hon'ble Nalini Ranjan Sarker): (a) Yes.

(b) Grant of a compassionate gratuity to the widow of Sri Srinibash Mandal is under consideration of Government.

8j. CHARU CHANDRA BHANDARI : নাননীয় ব্যানহাশয় অনুগ্ৰহ করে জানাবেন কি বৃত শুনিবাদ বিধ্বা ব্যাকে বে compassionate gratuity দেওয়ার কথা গভর্ণবেশ্টের বিবেটনাধীন রয়েছে বলে উত্তরে বলেছেন, সেটা বিবেচনা করে সিদ্ধান্ত করতে আর কত দিন লাগবে ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot give the exact date, but this representation was made some time ago. We are making enquiries as to the number of dependants, etc. We hope to come to a decision very soon.

8j. CHARU CHANDRA BHANDARI : মন্ত্রীমহাশম জ্ঞানাবেন কি ঐ বিধবা যে গভর্ণবেপ্টের কাছে representation দিয়েছে সেটা পুায় দেড় বছব পূর্বেক ?

The Hor'ble Dr. BIDHAN CHANDRA ROY: I cannot give you any answer.

Dr, SURESH CHANDRA BANERJI: ১৯৫০ গনেব ৬ই এপ্রিল এই দুর্ঘটন। ঘটেছিল তার পরে দেও বছব হয়ে গেছে, এতদিনেও এই জিনিষট। গভর্ণমেণ্ট কেন consider করতে পেরে উঠছেন না ।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot give you any other answer. I have told you we are considering it.

8j. KANAI LAL DE: মাননীয় মন্ত্ৰীমহাশ্য় দ্য়া কৰে বলবেন কি এটা considered হতে কত সময় লাগতে পাৰে ? Widowfia যখন খুব কট হচেছ তখন finally considered না হওয়া পৰ্যান্ত একটা interim grant তাঁকে দিতে পাৱেন কিনা এবং দেওয়া উচিত কিনা ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot tell you about the interim grant—whether it is permissible under the rules—but if there is any difficulty with regard to this lady, I have got some fund of my own from which I can give her some help, as I do in other cases.

8j. GHARU CHANDRA BHANDARI : মাননীয় নন্ত্ৰীমহাণ্য কি চেটা কববেন যাতে এক মাস বা দু'মাসেব মধ্যে এই compassionate grantএর বিবেচনা শেঘ হয় ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I will try.

**8j. KANAI LAL DE:** মাননীয় মন্ত্রীমহাশয় যে বলেছেন যে তিনি নিজে থেকে কিছু দেবেন— শেটা দেওয়াৰ ব্যবস্থাট। তাতাতাতি কবনেন কি ?

(No reply.)

Mr. SPEAKER: As regards the next question, I have been requested by the honourable member to hold it over. I am holding it over.

#### COVERNMENT BILL,

#### The West Bengal Security (Amendment) Bill, 1951,

8j. JYOTI BASU: মাননীয় স্পীকার মহাশয়, এখন এই কক্ষের মধ্যে আমাদের শত পুতিবাদ সম্বেও যে বিলটা এখানে উপস্থিত কবা হয়েছে স্বকারের পক্ষ থেকে, সেটা সংখ্যা গরিষ্ঠতাব জোরে সরকার পাশ করিয়ে নেবেন বলেই মনে হচেছ। কিন্তু এই বিল পাশ হওয়ার মধ্য দিয়ে, এখানে যে আলোচনা হয়েছে—তার মধ্য দিয়ে, কয়েকটা কথা আমাদেব মাননীয় পুধান মন্ত্রী মহাশয় উপস্থিত কবেছেন; আমার মনে হয় তাঁর সেই কথার একটা জবাব দেওয়া দরকার। কারণ উনি এমন একটা ভাব দেখাচেছন যে যে কোন গণতান্ত্রিক দেশে, অর্ধাৎ

গণতান্ত্ৰিক নীতি পদ্ধতি বেনে যে দেশ চলে—এই রকম একটা আইন সে দেশে থাকতে পারে। এবং তিনি জারে। বোঝাতে চেষ্টা করেছেন, যে ভাজকান যে রক্ষ অবস্থা সমস্ত দনিয়ার, তাতে এই রক্ষ জিনিষ, এই রক্ষ प्याप्टेन कानुन गर्भाष्ठ्य-मात्रिष्ठ एम्म स्मर्तन निर्द्राहर । कारक्ष्ये, प्याप्ति मरन किंद्र এই Bill त्रश्ररक्ष--- এর ভিতর যে সমস্ত আপত্তিকর কথা আছে তা বলবার আগে প্রধান মন্ত্রী ঐ ধরণের যেসব কথার অবতারণা করেছেন তার একটা উত্তর দেওম। দরকার; নৈলে অনেকেরই ভল ধারণা হতে পারে—এই Bill সম্বন্ধে। আমি পথমে य नत्त्विक्वाम त्य এই नित्तन वाता, উनि त्य नमन्त दिश्नाचक काळ क्रायक नत्त्व मत्न कत्त्रन. त्यूके नमन्त्र काळात्र প্রবোচনা দেওয়া হয়। কিন্তু উনি বলেছেন ঠিক তাব উল্টো। আম্বি মনে করি উনি হয়ত কতগুলি জিনিছ ভলে বাচেছন, কতকণ্ডলি জিনিম ওঁর মনে নাই। ১৯৪৭-৪৮ লালে আমাদের Communist Partyক विचारिनी कत्रवाव चार्रात, शुधान मधीमशानग्र जामारमञ्ज এकहा, नुरहा वा जिन्ति घहनाव कथा बनन-यथारन ওঁর কপিত্যত হিংশারক কাল হয়েছে; আমাদের দেখিয়ে দিন কোপায় বোমা পিস্তল হাতে কবে কাব। লডেছে ? দেখিয়ে দিন—কারা বিশুঝনা বা হিংসার আবহাওয়। স্বষ্ট করেছে। আমি তো জানি,—১৯৪৮ সালের ২৬শে माठर्क त्य मिन प्रामात्मन भरन निरंग या 3मा स्टामिन छोत्र प्रारंग अनुबि त्कान चर्तेन। चट्टीन । এই प्राप्टेरनन बात्र। Communist Partyকে বেআইনী করা হলো, এবং আমাদের পশ্চিমবলে বাতারাতি হঠাও আমাদের Communist Partys त्नजाएन बाहिक कत्रा शता । जात्र श्रेट्ट (मर्ट्स वर्षा এको উर्द्धक्रमा এवः হিংশার আবহাওয়া স্টে হয়েছিল। শেইজনাই আমি বলেছি সেটা স্টে কবেছেন কংগ্রেস সরকার এবং সেই জনাই এই বেআইনী আইন তৈরী করেছেন। উনি যদি দেখিয়ে দিতে পারেন আগে এই রকম সব বটনা ঘটেছে ভাব পবে হঠাৎ বাধ্য হয়ে। গণতন্ত্রকে খানিকটা ধর্ব করেও বাধ্য হয়েছেন এই বক্ষ আইন করতে, ভাহলে সেটা সত্য বলে মানতে পারতাম। কিন্তু আমি জানি উনি শতচেষ্টা করেও দেখাতে পারবেন না যে এই বক্ষ ঘটনা ঘটেছে: আমি ববং দেখাতে পাবি যে পশ্চিমবঙ্গ সবকাব কি কবে হিংসাব বাজত্ব স্থাপন করেছেন, এবং সেটা ভ্ৰম্ব এই আইনেৰ হারা, এই Security Actas হাবা নয়, লাঠি এবং গুলি হারা। আমি দেখাতে পারি—কি-ভাবে খ্রীলোককে তাঁবা গুলি করে মেবেছেন, দেউশো-দুশো লোককে গুলি কবে কি কবে মেরেছেন। তাবপব এই আইন হবাব পরে কত লোককে গ্রেপ্তার করেছেন, কত লোকের উপর restriction order দিরেছেন তার ইয়ান্বা নাই। প্রধান মন্ত্রীমহাশয় নানা রক্ষের quotation দিয়ে থাকেন, তাঁব সেক্রেটাবীরা স্ত্যামিধ্যা নানা বৰুমেৰ quotation তাঁকে যুগিয়ে দেয়, কিন্তু তাৰা কি এবকম একটা সৰকাৰেৰ দুষ্টান্ত যোগাতে পাবে যে নাকি এবকম হিংসায়ক কাজ কবেছে। ওঁব হিসাব আছে কিনা জানি না, কিন্তু আমাদের হিসেবে আমাদেব এই দেশেব ১০ জন মহিলাকে গুলি কবে মেরেছেন ওঁবা—এই কংগ্রেস বাজছের ১<u>২</u> বছরের ভিতর। আমি জানি না-প্ৰধান মন্ত্ৰীৰ এশৰ কথা মনে আছে কিনা। আমি তাই বলেছি এই শৰ আইন পাশ কববাব জন্য যে সৰ বজুতা এখানে দেওয়া হয় তা দ্বাবা দেশেব মধ্যে একটা হিংসার আবহাওয়া স্বষ্টি করা হয়---যেখানে মানুঘ ভাবে যে গণতান্ত্ৰিক উপায়ে আমাদেব আব কিছ হবে না, হয়ত আমাদের অন্য কোনো উপায় অবলম্বন কবতে হবে।

হিতীয়তঃ, পুধান মন্ত্ৰীমহাণয় বজ্তা দিতে উঠে বলেছেন—''আমি detain না কৰে কি কবব ? কোন উপায় নাই। এই বকম restriction order না দিয়ে কি কবব কোন উপায় নাই।'' কাবণ তিনি বলেছেন—ভালবাসা আর মানব প্রেম দেখিয়ে লোককে জয় করব এরকমের অত্যুচচ,—high moral force—আমার নাই। কিছু এদিককার সভ্য বাঁরা আছেন এই আইন-সভায়, তারা কোনদিন কি কেই একখা বলেছেন পুধান মন্ত্রীকে বা তাঁব সঙ্গীবর্গকে যে আপনারা প্রেমের হাবা ভালোবাসার হাবা বাজ্য চালান, নয়ত চলে যান ? একখা কেইত তাঁকে বলেনি, তবে এ পুণু কেন ? বেজাইনী আইনের বিক্তমে আমরা যখন কথা বলি—তখন প্রেম, ভালবাসা বা মানবণুীতির কোন কথা বলি না। কাদের কাছে বলব ? কংগ্রেসের মন্ত্রীদেব কি আমরা জানিনা ? একদিকে যে তাবা গাছিজীর নাম আওড়িয়ে অহিংসার বুলি কপচান, বাম রাজ্যন্তর উল্লেখ করেন, কিছু তাঁদের আসল মুন্তিট্টা আমরা চিনি না ? আমার নিজের অভিজ্ঞতার মধ্যে দিয়ে ১ বংসর তাঁদের যে পরিচন্ধ পেমেছি তাতে ঐ সমন্ত্র high morals তাঁদের কাছে preach কবে যে কিছুমাত্র লাভ নাই । আমার কথা হচেছ এই সব বেআইনী আইন না করে বিনা বিচারে মানুমকে আটক না রেখে তাদের কাঠগড়ার দীড় করান। আইন আদাত আছে, জজ্ব magistrate আছে তাদের কাছে বিচার হোক।

বিচারে যদি কাঁসি হয় তাহলে কাঁসি দিন। কিছু বিনা বিচারে যদি আচিক করেন তাইলে democracy চলতে পারেনা। আনরা প্রেমব কথা বলতে চাইনা। আমি বলতে চাই বিনা বিচারে এই সব করবেন না। আদালতে অন্ততঃ আমাদের নিজেদের আন্নপক সমর্থন করবার অধিকার দিন। জনসাধারণ তথু এই কথাই সরকারের কাছে বলে, এব বেশী কিছু তাদের দাবী দাওয়া নেই। অনেক অবান্তব কথা প্রধান মন্ত্রী বলেছেন যেসব কর্মার দুল্য কাবো কাছে নেই। তিনি এসব না বললেও পারতেন। আমাদের প্রধান মন্ত্রী মহাশয় বলেছেন তিনি democracy ব মানে বুখতে পারেন না। এই সম্পর্কে আলোচনা করতে গিয়ে তিনি বলেছেন গণতন্ত্র মানে জোর কোরে একজনের মত অন্যের উপর না চাপানো। এই হচেছ গণতন্ত্র সম্পন্ধে তাঁব অভিমত। জ্লোর কোরে হিংসান্থক উপায়ে যাতে চাপানো না হয়—এটা তিনি একটা ভাল definition দিয়েছেন। তাহলে আমি বিনি বিনা বিচারে বে—আইনী কোবে কেন আটক বাধা হবে। লোকে যা খুগী বেছে নেবে শিভিমবঙ্গ কংগুগী সবকাবের মূলনীতি নাকি give and take পলিসি। কিছু এই মূলনীতি তাঁজেৰ আমি করবাও মানতে দেখিনি। তাঁবা আবও একটা কথা বলেন সেটা হচেছ compromise কিও কথাই কি তাঁব। সে পথে পা বাভিয়েছেন প্রামি তো কথনই দেখিনি। তাঁবা চারিদিকে দমন নীতি এমন ভাবে চানাচেছন যে, তাঁলেৰ মূল পথেকে এমন কথা শোনা যায় না যে আসুন আমবা সকলে মিলে আলোচনা করে দেখি কি করা যায়। তাঁবা জনসাধাবনকে কি কথা এ কথা বলেছেন, আমবা দেখছি ভোমাদের মন্তামত মেনে নেওয়া যায় কিনা; এবং যদি গছণ যোগ্য হয় ভাহলে নিশ্চম সানবো।

ইংৰেঞ্জ এখানে যথেষ্ট আইন তৈরী কবে গেছে। তাবা এখন এই স্বকাবের পশ্চাতে রয়েছে এবং শাসন কবছে। তাদেব তৈবী আইন দিয়েই তে৷ আমাদেব বিচাব কবতে পাৰতেন।

Communist Party কগনও একপা বলেনা যে আমাদেব কথা জনসাধাৰণকে জোব কোবে বুঝতে হবে। জোব কোবে কগনও Communism হয় না। সাধাৰণ মানুদকে যদি আমাদেব কথা বুঝিয়ে আমাদের পথে না আনতে পাৰি তাহলে জনসাধাৰণ কথনও আমাদের Partyর আনুগতা শীকাব কববে না। জোব কোবে কথনও কাহাবো আনুগতা পাওয়া যায় না। এই সরকার আজ লোব কবে তাঁদের কুশাসন চালাতে গিয়ে একেবারে কোপঠাসা হয়ে গিয়েছে। আজ তাঁবা মরিয়া হয়ে জনসাধারণকে আক্রমণ কবছেন তাদের বে-আইনী আইন নিয়ে। সাধাৰণ লোকের শুীতি যদি এরা পেতেন তাহলে লাঠিগুলি দিয়ে রাজ্য চালাতে হোত না।

আমাদের পুধান মন্ত্রী বলেছেন যে তিনি তো খুব তাল শাসন করছেন, তিনি শুধু বে-আইনী আইন হারা আটক করছেন ও restriction order দিচছন কিন্তু চীন দেশে নাকি Communist Party কর্তৃক শুধুনত ১০৫ জন লোককে বাঁচানোর জন্য ১০,০০০ হাজার লোককে পুন করা হয়েছে। এই slander চীনদেশ সম্বন্ধে তিনি না করলেও পারতেন। তিনি নিশ্চমই এই জিনিমটা নিজে দেখননি। তিনি যদি একটু তলিয়ে দেখে সত্য মিধ্যা নির্দ্ধারণের চেষ্টা করতেন, তিনি এই যে slanderটা চীন সম্বন্ধে নাও সে তুল এর দেশ সম্বন্ধে দিলেন তাহলে তিনি নিশ্চম বুঝতে পারতেন এটা কর্বনও সম্ভবপর হতে পারে না। আমাদের প্রতিবেশী চীন সম্বন্ধ আমর। কিছুটা খবর রাখি এবং এটা বলতে পারি এদের বন্ধু বিলাত ও আমেরিকার এই মিধ্যা রটনার দান আছে।

- Mr. SPEAKER: Mr. Basu, I think we should not at this stage discuss about China and Russia but let us talk about India as much as possible. Please come to the subject-matter which is the third reading of the West Bengal Security Amendment Bill.
  - 8]. JYOTI BASU: Mr. Speaker, Sir, the difficulty is that the-
  - Mr. SPEAKER: I do not want any explanation. Please go on.
- 8j. JYOTI BASU: The Hon'ble Chief Minister has been speaking about—
- Mr. SPEAKER: I do not want an explanation for what you have said already.
  - Sj. JYOTI BASU: And I cannot answer him?

Mr. SPEAKER: The position is that when I said please come to the point, which is the third reading of the Bill, before the House, already 15 minutes had elapsed since you began the speach. After all, this is the third reading stage, and should you still go on dwelling on the Act which is sought to be amended by the Bill before the House? If it was the stage of general discussion we could go on for days and days if time permitted, discussing about Russia and China side by side with India and about communism and socialism and so on. At this stage, only incidentally, these things are referred to, and that for a few minutes. So don't make it the chief subject of the discussion today. The subject before us is the West Bengal Security Amendment Bill by which certain sections of the original Act are proposed to be amended.

8j. JYOTI BASU: But it is a very terrible amendment, Sir. It may be one amendment—

Mr. SPEAKER: Please go on.

8]. JYOTI BASU: Of course, Sir, you can stop me whenever you think that I am irrelevant. I was only trying to answer the Hon'ble the Chief Minister because he had been referring to all these—not I. I did not open the subject but the Hon'ble the Chief Minister did and therefore I have to answer.

আমি যেটা বসছিলাম সেটা হচেছ বৰ্ধমানে কে জিতেছে না জিতেছে এটা আমার বক্তব্য নয়, কিছ পুধান মন্ত্রীই এইটা এনেছেন। আমি উক্তর দিতে গোলে আপনারদের যদি আপত্তি থাকে তাহ'লে আমাকে বলতে দিবেন না তা জানি। তবু আমি বলবার চেষ্টা করছি। যদি আমার কথাবার্তা আপনাদের মতে স্থবিধাজনক না হয় তা'হলে red light দেবিয়ে দেবেন এবং আমিও বদে পরতে বাধ্য হব।

Mr. SPEAKER: Not everything need be answered. The question is that, while a member delivers his speech some extraneous matters do come in, but it is not necessary that each and every such point should be touched on and replied to unless it is very important and relevant to the subject before the House and unless it affects the member. We are in the third reading stage and already 20 minutes have been taken up by the honourable member. There are other speakers after him and the business of the House has to go on without any unnecessary waste of time. So please confine the rest of your observations to the Bill before the House.

ষ্ঠা, Jyoti Basu: আপনার অনুরোধ বক্ষা করবার চেটা কবব। পুধান মন্ত্রী এই বিল আলোচনা কালে উত্তেজিত হয়ে বললেন তিনি এইমাত্রা telegram পেলেন তাঁরা বর্ধমানে জিতেছেন। West Bengal Security Actএব সংগে এব কি সম্পর্ক আছে গ জিতেছেন তা ধুব ভাল কথা Muslim Constituency আপনাদের জন্য চেটা করবে তা আমরা জানি, কারণ কংগ্রেসকে ভোট না দিলে চলে যেতে হবে একথা আপা কবি অনেকেই মানবেন। তারা এখন কংগ্রেসে যোগ দিলে দু'দিন পবে কংগ্রেস ছেড়ে দিরে চলে যাবে। আমি শুধু এটা বলতে চাই এসব কথার কোন পুরোজন ছিল না। দুইদিন পবে অনেক পুকার কথাবার্তা বলে এটা বোঝনোর চেটা চলছে যে এই বিল চার দরকার। আমি কিন্তু পেথাবার চেটা করছি এবিলের কোন পুরোজন নাই। এই বিলটা যদি আইনে পরিণত করতে হয় তবে গণতক্ষের বুলি আপ্তিরেই করতে হবে। আমরা ধনীর গণতত্বে আমরা বিশ্বাস করি না। যে গণতক্ষে মানুঘকে বিনা বিচারে আটক ও restriction করা যায় সে গণতক্ষে আমরা বিশ্বাস করি না। এটা বনীর গণতত্ব বলে যদি এই বিলটা পাস করানোর চেটা হোত তা'হলে আমার আপত্তি ছিল না। ম্পীকার মহোদ্য, একটা কথা আমার মনে হয়—তাহচেছ এই বে, পুধান মন্ত্রীর পক্ষ থেকে অনেক অবান্তর কথা বলা হয়েছে ব'লে আমার ধারণা। এটা নাকি ধুব reagonable হয়েছে; ভাহলে আর কথা কি ছিল। আমি দেখাবার চেটা করেছি এই সব কথা বলে কিছুই লাভ হয় না। আপনাদের পুনিস দপ্তর থেকে যে সমন্ত্র charge-sheet দেওবা হয় তাবে বেশীর ভাগেই বিছে কথা লেখা থাকে। বিছে কথার উপর reasonable unreasonable

একৰ কথা উঠে না। আপনাদের তে। এই সৰ কথা জানবার কথা নর, আর জাননেও বিশুাস করেন না। বে সরক্ত record পুলিস তৈরী করেছে নেসব সহছে দুই-চারটা কথা আনরা বলতে পারি কিছ নে তুল তে। আনরা দেখিরে দিতে পারছি না কারণ আনাদের record দেওরা হবে না। কাজেই এই সমন্ত কথার কোন কুলা নেই। Restriction আইনে কোনটা reasonable আর কোনটা unreasonable তা বোঝা মুছিল। Advisory Boardএ বারা থাকবেন তারা কিসের উপর বিচার করবেন। এখানে তাে আইনজ্জ আছেন, তাঁরা যদি বুঝিয়ে দেন তা'হলে কৃত্ত্ত থাকবাে। J. C. Gupta মহালয় আছেন, তিনি একটু বুঝিয়ে দিন reasonable আর unreasonable Judge কিসে বিচার করবেন। আদালতে যদি বিচার হয় সেটা বুঝতে পারি। বিচারপতিদের কথা বোঝা যায়। আর একজন সদস্য বলেছেন এতে তার পাওয়ার কি আছে—আপনি বে-আইনী মিটিং না করেন, State এর বিরুদ্ধে জনাায় কিছু না করেন তাহলে তামের ব্যাপার কিছু নাই। আপনাদেব তাে আর তাহলে কিছু করা হবে না। এখানেই তাে মুছিল। বাঁরা এদিকে বসেন আর বাঁরা ওদিকে তাব মধ্যেই তাে ফারাক। ওদিকে বসে অনেক গরম কথা বলা যায়। এ কথা সহজ্জেই বলা যায় যে আপনারা এত তাম করছেন কেন ? যিনি এখন এই কথা বলছেন তিনি যদি তার জতীত কাহিনী চিন্তা করে দেখেন তাহলে বুঝতে পারেন, তিনি পূর্বে যা বলেছেন এখন ঠিক তার উলেটা বলছেন। আমি বুদ্যবন্ধ সাহেবের কথা বলছি। দুর্ভাগ্যবশতঃ আমি যদি ওদিকে বসতাম তাহলে আমিও ঐ ধরণের কথা বলতাম।

রতন লাল ব্যাম্রাণ, তিনি একজন M. L. A.। তিনি এখানে আসতে পারছেন না, ভানলাম তাঁর নামে গভৰ্ণৰেণ্টের তরক থেকে একটা warrant আছে-এটা reasonable না unresonable কি হবে ! कःश्वित शंखनीतार के वा त्य, जिनि यनि वाहेरत शास्त्रन, जाँरक यनि श्रता ना हम जा हर coming election 4 Darjeeling এর পাঁচটা seat? Congress হারবে। এটা আমি আনি এবং Congress এর লোকরাও ছানেন। আমি তখন তাঁকে বলেছিলাম ''ভাই তমি ৰাইরে থাকতে পারবে না''। রতনলালের পক্ষে সেটা इत्प्रदृष्ट, जामात्र शतकु इयु शीषु इत्व, जामि जानि । जामि विशुनि कवि त्रुक्तलात्त्र विकृत्क त्य chargo দিয়ে তাকে জেলে আটক কবা হয়েছে দেটা বিচারে টিকবে না। আমি এখানে নিখে দিয়ে যেতে পারি যে পুধান মন্ত্ৰীমহাশয় যত বড়ই উকীল বা Advocate-Generalকে নিযক্ত করেন না কেন এবং রতনলালের বিরুদ্ধে যে কোন chargeই থাকুক না কেন, আমি Advocate-Generalএৰ বিৰুদ্ধে লড়াই করে, রতনলালের পক্ষে मीं जित्रा, ठाटक श्रीलांग करव जानवहै। जागम कथा इटाइ एवं त्रजनमानटक स्कृत detain कता इटाइ ? এইটাই আমাদের মঞ্কিল--- এখানে আমি কি বলব ? ঐ জন্যই আমাদের ভর করে। আমার বিরুদ্ধে চারটা মিধ্য charge দিয়ে, চয় মাস আমাকে জেল খার্টিয়েছিলেন -- আপনার। কংগ্রেস মন্ত্রীম ওলীর।। তাই বলছি ভয় করছি। প্রধান মন্ত্রীমহাশ্য যদি চান আমাব chargeগুলি সম্বন্ধে দেখিয়ে দিচিছ তাঁর পুলিশ কমচারীরা কতবড় মিধ্যা কথা বলে আমি এ কথা পুমান করে দিতে পাবি to his satisfaction. কাজেই আমি বলি যে। ষ্কিনিঘ আমি দেবছি---আইন-সভার সভাকে যদি এইভাবে troat করতে পারে সরকার বাহাদুর ভাহলে দেশে যে সমস্ত সাধারণ লোক আছে তাদের পুতি যে কি ব্যবহার করবে এই আইনের বলে-তাই আমার একটু **७३ इ.स. (गर्ड क्रमा এই বে-यार्डेनी कार्डेन पिया कार्यनाता कि कत्र**त्वन छ। यागि कानि ।

আমর। এই সরকারকে ধনংস করতে চাই। এই সরকারকে আমার। গণীচ্যুত করতে চাই, এবং নিশ্চমই আমর। ত। করব। এরজন্য আমর। সাধারণ মানুমের কাছে যাব, তারাই আপনাদের সরিয়ে দেবে। আপনার। এখানে ইংরাজী আমনের আইন আর কতদিন চালাবেন। আপনার। যখন law and orderএর কথা বলেন তখন অন্তত: আইন আদানতগুলিকে ঠিকভাবে ধাকতে দিন।

গতকাল আমি যথন Communist Officed যাই তথন শুনলাৰ আমাদের অনেক জারণা Police থেকে search হয়ে গিয়েছে। আমি একজনকে জিল্পানা করেছিলার মহাশ্য, ব্যাপারটা কি ? হঠাও এই search ? তিনি বলনেন আমি বলতে পারি না—হঠাও এই search হ'য়ে গেল। এইতাবে আমাদের এমাহের করা হয়, সেই জন্যইত্ আমাদের তয় হয়। ১৯৪৮ সাল থেকে এই সমস্ত বে-আইনী আইনের বিরুদ্ধে আমারা লড়াই করে আসছি, তিত্তর খেকে এবং বাইরে খেকে। আগে বেশী সভ্যকে আমাদের সাথে পাইনি, কিছু আমা সৌভাগ্যকণতঃ অনেক সদস্যকেই আমাদের সজে পেরেছি। বাইরের অগণিত জনসাধারণ আমাদের সজে

একতাৰদ্ধ হয়ে এই বে-আইনী আইনের বিরুদ্ধে সংগ্রামের জন্য প্রস্তুত হচেছ। আপনাবা হয়ত সংখ্যা গবিষ্ঠতাব জ্যোরে এই বে-আইনী আইনকে পাশ করিয়ে নিতে পারেন কিন্তু বাইরের গণতান্ত্রিক জনসাধারণ এই আইনকে কর্থনই মেনে নেবে না।

এই আইনের বিরুদ্ধে প্রতিবাদ করে কালকে ডা: যোম বলেছিলেন যে ''আপনাদের পুতি আমাদের কোন loyalty নেই, আমাদের loyalty জনসাধারণের পুতি।'' জনসাধারনের বিরুদ্ধে যদি গভর্ণবেণ্ট কাজ করেন তাহলে সেটি ইতিহাসে রচিত হবে..এবং তার স্থান হবে dust-binএএবং সেখানে কংগ্রেণী মন্ত্রিমণ্ডলীনদেরও যেতে হবে সেটা বেণী দেরী নেই, অদুর ভবিষ্যতে হবেই।

8j. CHARU CHANDRA BHANDARI: মাননীয় শ্লীকাৰ মহোদয়, যে বিলচা পাস করতে বাচেছন, আমাদের এই দিক থেকে আমরা বলছি যে বর্তমান অবস্থার এই বিল আনাব কোন প্রয়োজন ছিল না। যিনি বিলচা উবাপন করেছেন, তিনি বলেছেন এই বিলচা আনার অত্যন্ত প্রয়োজন ছিল এবং সেই প্রয়োজন সম্বন্ধে তিনি একটা বিষয় উল্লেখ করেছেন সেটি হচেছ এই যে constitutionএব যে নূতন সংবিধানের যে নূতন সংশোধন হচেছ, তার সঙ্গে সামঞ্জয় বন্ধা করবার জন্যই এই বিলচা আনা হয়েছে এবং সেইজন্য তার Statement of Objects and Reasonsa বলা হয়েছে The definition of prejudicial report in clause 4 of section 2 of the West Bengal Security Act, 1950, has been altered in view of the recent amendment of Art. 19(2) of the Constitution;

এখন দেখা याक সংবিধানের যে সংশোধন হচেছ, সেই কাবণে যদি এই Security Actæ কোন সংশোধন করতে হয় তাহলে সংশোধন সম্পূর্ণ হচেছ না। আমাৰ নিবেদন এই যে যদি সেই একটা কারণ হয় তাহলে আমি বলবো যে এই বিল incomplete বা defective। সেই জন্য এই সংশোধন জনুসারে যদি Security Act সংশোধন করতে হয় তাহলে আবো অনেক দূর যাওয়া উচিত ছিল। দেখা যাক যে constitutionএর এই সংশোধন কি গুলেই সংশোধন হচেছ Article 92, সেটা হচেছ যে, এই যে-fundamental right constitutionএ দেওয়া হয়েছে, সেটার মধ্যে freedom of speech and expression কোন অবস্থার এই জিনিঘটাকে ধর্ম করা যাবে এই সংশোধনে সেই কথা বলা হয়েছে। তাতে এই কথা বলা হয়েছে।

Nothing in sub-section (a) of clause 1 shall affect the operation of any existing law or prevent the State from making any law in so far as such law imposes reasonable restrictions on the exercise of right conferred by the said sub-clause in the interest of the security of the State.

এখন আমরা দেখছি যে এই যে সংশোধন হল constitutionএ তাতে prejudicial reportএব definitionটা, মাত্র সংশোধন করা হয়েছে। Definitionকে সংশোধন করে এই amendmentএ যে যে কথা বলা আছে त्रहे त्रहे जिनिषक्षत्रहे माज क्या हरप्रह । किन्न शुगु इत्ह्इ बहे, त्य prejudicial reportहा यनि नः स्थापन করা হয় তাহলেও দেখা যাচেছ তার ছারা কিছু হল না যেমন যে যে বিষয় এই freedom of speech and expressionকে ধৰ্ব কৰা যেতে পাৰে সেই সেই বিষয়ের সংশোধন এব প্রয়োজন ত ৰটে কিন্তু সৰচেয়ে ৰ্ড কথা হচেছ সেবানে যে restriction দেওয়া যাবে সেনা reasonable হওয়া চাই। এবন দেখা যাক prejudicial reportes का वह जाहरन मर्ग त्य त्य कायशाय विश्वन जाहरू त्यारा कि का विश्वन जाहरू त्यारा का विश्वन जाहरू त्यारा का विश्वन जाहरू त्यारा का विश्वन जाहरू का विश्वन speech and expressionকে arrest করা হয়েছে। সেই সমস্ত ধাবায়, এই সমস্ত sectionএ যদি এই জনসারে এই সংবিধানের সঙ্গে সামঞ্জন্য রাধার জন্য সংশোধন না করাও হয় তাহলেও এই বিলটা defective হয়ে আছে এবং incomplete হয়ে আছে। High Court এ একটা বায় দিয়েছে যে, যে সমস্ত restriction ছিল তাতে বলা হয়েছে যে এইনা regular restriction হচেছ না। স্থতরাং এটাব সংশোধন করা হ'ক। কিছ prejudicial report সম্পর্কে যে সমস্ত ধারা আছে, সেই সমস্ত ধারা অনুসারে কোন caseই High Court ব্যামনি: যদি গিয়াও থাকে, সেগুলি ভালভাবে আলোচিত হয়নি। এই সংবিধান অনসারে বে prejudicial report আছে তা মুদি সংশোধন না করা হয় তাহলে Government বলতে পারেন যে সমস্ত ৰাৱা আছে—যে সমন্ত restriction আছে সে সমন্ত তাদের কথা অনুসারে চলবে। দেখা যাক। একটা ধারা Government কে দেখিরে দিচিছ যে এখানে section (4)এর সংশোধন করেছিল কিছ সেই অনুসারে যে সমস্ত ৰাৰছা আছে দেগুলি আৰা সংশোধন কৰা দৰকাৰ। এই section (12)এ একটা বিষয় সন্নকারকৈ দেখিয়ে দিচিছ, সেটা ছচেছ proscription of the documents. কিন্তু কোন বইগুলি proscribe করবেন। এই ধারার বলা ছচেছ্
"Where in the opinion of the State Government any document made, printed or published, whether before or after this Act comes into force contains any prejudicial report......"

কেবলমাত্ৰ prejudicial report, এই কথানিই সংশোধন কৰা হয়েছে। এতে বলা হয়েছে "......the State Government may, by order, require the author, printer, publisher or the person in possession of such documents not being a newspaper to (a) inform the authority specified in the order of the name and address of any person concerned in the making of such report, (b) provide for the safe keeping by person in possession of such documents and copies thereot, (c) require the delivery of such documents and any copy thereof to any authority specified in the order, (d) prohibit further publication, sale or distribution of such documents or any extract therefrom or of any translation thereof including in the case of a newspaper or other periodical the publication, sale or distribution of any subsequent issue thereof and declare such document and every copy or translation thereof or extract therefrom to be forfeited to the State.

- (2) Where in pursuance of sub-section (1) any document is required to be delivered to a specific authority, that authority may enter upon and search any premises whereon or wherein such document or any copy thereof is or is reasonably suspected to be.
- (3) Where in pursuance of sub-section (1) any document has been declared to be torfeited to the State, any police officer may seize any copy thereof wherever found or any Magistrate may by warrant authorise any police officer not below the rank of a Sub-Inspector to enter upon and search any premises whereon or wherein such document or any copy thereof is or is reasonably suspected to be."

এখন দেখা যাক যে কোন বই, কোন documents, কোন publication তাঁর। proveribe কবৰেন > এই sectionএ বলা হচেছ দে, যোখানে Governmentএর যত হবে সেইখানেই তাঁর। proseribe করবেন। Governmentএর হয়ত মনে হয়ে গেল এই বইগুলির মধ্যে এমন দিনিদ্ম আছে যা prejudicial for the public interest, যার publicationএ public morality এবং decency নই করছে, তখনই তিনি সেইগুলি proseribe করবেন।

connellection एएक एम मन्पूर्क अकरे। publication त्यकरना, गर्छन्तराधित मरन गरना अहे काशराबत মধ্যে, এই ইস্থাহাবের নৰো এমন জিনিম আছে—गাতে public order, deceney or morality নই হবে, অমনি সত্তে সতে সেটা proscribe হয়ে যাবে। এক ব্যক্তি ধক্ষণ ৫ হাজার টাক। খবচ কবে একটা জিনিদ কিনেছে গভর্ণবেশ্টের মাত্র মনে হলো যে এর মধ্যে একটা কি ধারাপ আছে আর অমনি গভর্ণমেণ্ট সেটাকে बांजिन करानर !' यात्रि स्नीकान बदानग्रहक श्रिक्षात्र। कराह----- बदेखारन वडे एर restriction order দেওয়া এটা at all reasonble কিনা? তাঁদের যেটা পুয়োঞ্চন খাছে. High Court **ल्टिस**ट्डन বলে তাঁরা **मः** त्नां भग कद्रालग. কিন্ত prejudicial report সেটা সংশোধন করছেন না এ আইনের তাহলে কি আবশ্যকতা আছে 🕆 আর যদি আবশ্যকতা পাকে, তাহলে যতদর যাওয়া দরকার ততুদর যাওয়া উচিত ছিল। তাঁদের ৰাহ্যিক কার্যাদেখে আনেক সময় তাঁদের যে তার পিছনে कि উচ্চেশা থাকে সেটা अन्यान कहा यात्र। उस এইটে সংশোধন করে নিচেছন কিন্তু যে restriction দিতে হবে সেটা তাঁরা সংশোধন করছেন না। স্বতরাং সমস্ত sectionটা যতক্ষণ না সংশোধন করেন তভক্কণ এটা গৃহিত হতে পারে না। সেই জন্য আমি বলচি বিলটা এই Houseএ গৃহীত না করিয়ে এটাকে ওঁরা withdraw ककन । এই विटान भाता जनगादा यमि त्कान वह छैता proscribe करतन, नतक नतक

High Court তাকে ultra vires declare করবেন। তাতে সমস্ত জিনিঘটা শুধু ওঁমের থাড়েই নয়। জানাদের থাড়েও এনে পড়বে। ওঁরা জভাত হতে পাবেন কিছ জামরা অভাত নই। তাই আমি জামার অনুরোধ করতি—তারা এই বিলাকৈ withdraw করে নিম।

8j. J. C. CUPTA: Mr. Speaker, Sir, I had no intention of intervening in this debate but my honourable friend Sj. Jyoti Basu has requested me to tell him what "reasonable" would mean and does mean and hence I stand. You know, Sir, I have a feeling of a sence of frustration regarding this Security legislation. When originally the Security Bill was passed,—Dr. Ghosh was in charge—I made no secret of my objections to the Bill and if you will excuse my making a personal reference it was at my insistence that the word "reasonable" was introduced in that Act—reasonable grounds. Then that word was removed and I have only this satisfaction that the High Court and the Supreme Court decided and then it is now accepted that the grounds must be reasonable and justifiable. At that time when I opposed the Act, I was told by the then Government giving certain information why a Security Act was necessary. I therefore did my best to restrict the operation of the Act to those cases and those cases only, and I insisted that this Bill should not be applied for political reasons, and Dr. Ghosh in deference to my wishes did make a statement. But whether that was actually acted upon has been questioned by many, because if I remember aright some political persons were also proceeded against. However, that is neither here nor there. Today it has been said that there is no necessity, everything is all right, public security is not in danger. We are not to shut our eyes in such a way as to criticise a measure which certainly is not popular both for the people who have the misfortune to administer it or those against whom it is applied. Sir, even in Calcutta today people cannot carry their moneys in safety. You see in the banks the hold-ups and all these things happen, and it cannot be see in the banks the hold-ups and all these things happen, and it cannot be said that the people can in all circumstances prevent any act of insecurity as my triend Mr. Jyoti Basu has said. As a matter of fact we ought not to ignore all these facts, unfortunate facts which necessitate such objectionable measures. But if any Government has got to justify itself, if the Government must look to the security of the people committed to its charge, then it has to take these powers. That is what I understood to be the situation when originally the Bill was enacted, and today it is not possible for anybody to say that the circumstances have so improved, that the security of the State has been so ensured on account of the public feeling or public opinion that no such measure is necessary. I am afraid I cannot agree to that proposition. But I must now answer the question that has been put to me as to what is the meaning of "reasonable". If one would look at the conditions attached for application of this Act in other places like England, America and in other countries, he will aways find that there is an Advisory Board who examine the materials that are placed before them by the Government. I insisted on the appointment of such an Advisory Board and placing the reasonable grounds before them as Dr. Ghosh very well knows about it, and I believe that Advisory Boards are the only protection against arbitrary application and arbitrary use of these powers by the Government. Unfortunately, we are meeting with situations where specially after the last war illegal arms and user of arms are found on all sides, and some security measures have to be taken. It is not always possible in those cases of dangerous acts and dangerous criminals to get evidence and convict them in open courts though it is always better and everybody desires that nobody should be deprived of his independence or freedom of action without a trial before court, but unfortunately we see that there are persons who do these things in secret and evidence is not available, and if the society is to be protected from the

oppressions by such persons every Government has got to take powers. But if this Act is applied for the purpose of preventing the activities of the political opponents nobody will say that this Act was at all intended for that purpose, and a Government which applies this Act for the purpose of subduing or preventing the opponents in a political contest, I think, does the greatest harm to itself. They will be condemned before the public, and I am sure when an election is coming no responsible Government, no responsible person will misuse these powers so as to incur public displeasure.

There was another aspect from which I thought that the criticism over here with regard to the amended sections in this amending Bill was somewhat inopportune. The whole Act is not before the Legislature. The new sections seek to lessen the rigours of the Act in accordance with the decisions that have been given by different courts, so that the other party has taken advantage of these amending clauses but really they have spoken against the original Act. The original Act which was necessitated at a time when the previous Government under Dr. Ghosh was in power is continuing, and it is an amendment of that Act. It has been said that public order cannot be understood, but "security of State" is very wide. But I do not think that we ought to indulge in criticism like this merely for the sake of criticism. We ought to point out that apart from ensuring the the sake of criticism. We ought to point out that apart from ensuring the security of the State which means the security of the people the State security cannot be divorced from the security of the people. I do not believe that a State as Government has one security, and the people another. Such a State is not to be considered a responsible State, but here we must calmly consider it having regard to the difficulties that we have to face and the Government have to face, having regard to the forces of disorder which have unfortunately been released in such a degree that the lite and property of the individual is not safe even in a town like Calcutta where so many measures—I mean flying squads, telephones and other things are there—and yet in day light we find that daring dacoities are committed. Having regard to that, to say that there is no necessity of any committed. Having regard to that, to say that there is no necessity of any measure for security is, I submit, ignoring facts, and I beg of my friends to consider this. I am at one with them in appealing to the Government and in telling the Government that this Act should never be used for political purposes and against political opponents. This Act can have only one use and one justification, and that is ensuring the safety of the people and the security of the State. This is, I hope, what this Act will ensure, and I believe that the answer that I gave to my honourable friend regarding the necessity of having the word "reasonable" will satisfy him. (Sj. Jyoti Basu: It is not there.)

Mr. SPEAKER: Mr. Gupta your time is up.

Janab SYED BADRUDDUJA: Mr. Speaker, Sir, I was not inclined to intervene in the debate. I was watching with very close attention the last flickering lamp which was about to die out. When our funeral ceremony has been performed in this House one should feel rather disinclined to take part in the debate in an unreal atmosphere, especially when sterner realities outside call for more serious attention. But certain considerations which have been before this House have compelled me to intervene in this debate at this late stage. Sir, certain observations have been made by my honourable friend Sj. J. C. Gupta just now that when forces of disorder are rampant throughout the country, when life and property of the people are at stake, naturally there is justification for the introduction of amendments in every session to curtail the liberties even of Hindus and other people of the State. How I wish the Government applied the provisions of the Security Act against the gangsters, against dacoits, against robbers, against black-marketeers and not certainly against innocent subjects of the

State or the political parties in the country. How I wish they spared the innocent persons who have been trapped in on the flimsiest pretexts supplied by interested quarters. Sir, I would not go into details at this stage, but I will only refer the Chief Minister to the recent arrest made under section 11(3) of the Security Act of the Editor of "Angara". I do not know who supplied the information to the Government of West Bengal. I do not know on what materials the particular gentleman, the Editor of the paper, was arrested. Perhaps the translator does not understand the Urdu language well and so could not properly translate the passages and put the head lines and therefore the arrest has been made. Sir, I have copies of the issues on which the poor fellow has been arrested. He has shown fidelity to the State, he has shown loyalty to the State in no unmistakable terms. All that was done by him was that he put under headlines certain statements from various newspapers of India and Pakistan condemning in no uncertain terms the war psychosis that was being developed and fomented by these newspapers. In the interest of stability and security of the State, in the interest of helping the peaceful relation to subsist between the two neighbouring States he wanted to condemn them and in the editorial of the 2nd August he went on condemning the spies set up by the Pakistan Government in India, the spies who supply information from India to the Government of Pakistan. For this fault-for condemning this mischievous and spurious and sinister activities of certain spies of Pakistan-for supporting Government, for showing unstinted loyal allegiance to the State, this geltleman had been trapped in. The fault is that there was a fly in the ointment that this gentleman had the temerity to say that there were mal-practices at the Howrah by-election. Sir, there were forces behind it, there were conspiracies hatched behind the scene and they were waiting for an opportunity. Sir, I have got the papers with me and if you like and if the members on the other side like I can read the passages. I do not know whether you would be able to understand Urdu properly but I can translate them also to show where is the ground, where is the charge, what are the materials on which this gentleman could be arrested under the Security Act—under section 11 of the Act which says that imprisonment can be up to 5 years and, Sir, what is the remedy for this gentleman? Of course there is an Advisory Board which is supplied with certain materials which may be real or spurious and these are supplied by the police and sometimes by the Enforcement Department. These materials are sufficient to arrest and arraign a man and send him to an imprisonment for 5 years. This is one instance. The second instance. I would not refer to this instance in detail but I would refresh the memory of this Government. Some time in 1948 a particular gentleman whose name was Sitabuddin had decided to go against a particular Sub-Inspector and another Muslim gentleman named Mozammal Hossain filed a suit against another Assistant Sub-Inspector. Naturally, immediately after that both the complainants and the witnesses were trapped and put into custody under the Security Act. This is the application of the Security Act. There is no mention of the reasonable grounds anywhere. It is a misfortune and a cruel tragedy of public life in India that this sort of reactionary legislation is being introduced under the Congress received in sorts of the fact that they have in the reat union congress. regime in spite of the fact that they have in the past given assurances and pledges that this sort of legislation will not be introduced. They held out pledges from time to time before the partition of India, -before the achivement of freedom, before the attainment of the long-cherished object for which many people mounted the gallows and faced the storm, braved the danger, went through the baptism of fire, agony and misery for 40 to 50 years—but they have betrayed those pledges. We thought that on the eve of election the Government of West Bengal or for the matter of that the Government of India will have the decency, courtesy, fairness, sense of

fair-play and justice not to introduce this reactionary legislation to curtail further the liberty and the freedom of the people, to curtail further the civil liberty of the people. Sir, the High Court is the only sanctum of justice, free from communal, parochial or sectional bias and now even the judgment of the High Court is sought to be circumvented by bringing in certain amendments before the House in order to cure the defects, the irregularities, the inconsistencies, the lacunae, the laches which were inconsistent with the very spirit of the Constitution. The West Bengal Government has come forward with amendments which want to take away the rights of the people. I wish the Government had spared us for a while at least. We have apprehension that this law will not be applied against the gangsters, dacoits, communalists, communists but will be applied against those who do not see eye to eye with the Government of the land. This law will be applied more particularly against their political opponents, against those who are out to oust this Government. Like Mr. Jyoti Basu who says that this Government may go out tomorrow I have not the temerity to forecast that this Government is hurrying to its doom. I do not know what will actually happen. As Muslims we believe in the saying

Providence alone can shape the destinies تعز من بشاء و نول من تشاء

of the people, if the Providence has placed you at the helm of affairs to guide the destinies of the vast number of Muslims placed under your charge, I would request you to rise to the height of the occasion and bring in such legislation which may be beneficial to the interests of the people. I would never ask you to impose restrictions which might curtail the civil liberties of the people for which the people have fought for decades together. Just after partition of India into Pakistan and India and Pakistan and West Bengal, there were unsettled conditions in the country and that called for certain drastic measures, because there were forces which were out to create and perpetuate disorder and chaos in the country, as extraordinary situation sometime calls for extraordinary legislation extraordinary measures to cope with the situation, to cope with the vast increasing complexities of the situation, to cope with the vast rising tempo of communal passion, to cope with the vast rising forces of corruption and bribery, black-marketing threatening the State. But I do not know when the conditions have settled down to the normal and even the communist party which was put under ban has been declared legal, when you are talking of the freedom of expression, on the eve of election why you should introduce a piece of legislation which curbs the right of the people, which curbs the freedom of expression, which curbs the civil liberties of the people in this country in the most objectionable fashion.

My triend Mr. J. C. Gupta has just observed that the security of the State and the security of the people are synonymous terms. How I wish they were so. If they were so, there was no room for any agitation, no room for any controversy, no room for criticism for this reactionary legislation. Sir, my conception of democracy is not what the Hon'ble the Chief Minister observed. My conception of democracy is that individual rights and liberties and individual responsibility must be reconciled with the responsibility of the whole State. The State must exist for the individual and the individual must exist for the State. We are so many organs contributing to the development and growth of the entire system and the system also must contribute to the growth and development of the entire organism. Naturally, therefore, we feel that an attempt is being made to curtail the organs, to crush the organs, to paralyse the organs, to terrorise the organs, to secure the submission in the most objectionable fashion. There is a revolt, there is an agitation, there is a controversy, there is a condemnation, there is a denunciation all round for this piece of

legislation. Therefore I would appeal to the Government that on the eve of election they should withdraw this Bill even at this stage. Sir, are not the provisions of the Security Act sufficient to cope with the situation? Are not those provisions which have been passed in the teeth of opposition, in the teeth of overwhelming opposition from all over the country sufficient to cope with the situation? Are not the courts in the land, the High Court and the other courts, the Supreme Court, sufficient to deal with the situation in these cases? Sir, the whole thing depends on the gravity in the minds of the sincerest well-wishers and friends of the State and of India, because if innocent people are trapped or if political opponents are trapped or if even the members of the legislature do not escape and cannot avoid imprisonment on documents which may be fabricated or concocted, then how can you cope with the situation. Even the members of the Legislature do not escape: political individuals who differ from the Government do not escape the vigilance of the Security Act. Is not the High Court sufficiently dependable? Is not the Supreme Court sufficiently dependable? Is not the ordinary Judiciary in the land prepared to protect the liberty of the people? If so, what is the necessity of bringing in and passing this piece of legislation which circumvents the judgments of the High Court. The High Court is there with a vigilant eye to see that there is no miscarriage of justice in the land. So for correcting our vagaries and miscarriage of justice in any shape at all, why not trust the High Court? Why drag in High Court Judges to sit on the advisory board to advise Government in this matter? Why should you take recourse to this blandishment to drag in High Court Judges to advise the Executive Government? This is one reason why I say that the Judiciary should be independent of the Executive. Sir, I do not see any reason why a Judge of the High Court should condescend to serve the Government on its advisory board. I am not attacking or criticizing the judge of the High Court. I am not casting any aspersion on him. He is there in the High Court to protect us against oppression, against tyranny committed in the name of law, in the name of law and order, in the name of the maintenance of public security.

Coming to section 2 which is still there, is there any sensible man, unless he has lost his head, who does not want the security of the State? Is there any man in the State or for the matter of that in the whole of of India, who does not want to maintain public order? As a Mussalman I feel that unless there is a stable Government, if there is chaos and confusion in the country, if there is an unsettled condition prevailing in the country, Mussalmans will be the worst victims of oppression and tyranny. Naturally we will concentrate all our activities and show a spirit of, cooperation to any Government that exists in the land, in order to stabilise the condition of the country so that the Mussalmans and other minorities may be safe under the protecting wings of the Government of the State.

Coming to decency and morality, who does not want decency and morality? If indecent overtures are made even in the name of law and order, if in the name of security of the State, if in the name of civilisation and culture, if in the name of freedom, equality, nationalism or any other conception of human society, if in the name of slogans people are indulging in irresponsible talks or indecent overtures, I do not know if there is any responsible person who will countenance that, foster or encourage that. Sir, we shall always try to check this growth of indecency or immorality in the State.

As regards friendly relations with foreign States it is a matter which touches me most. I am the last person to stand against any friendly relation with our neighbouring State. I do want that Mussalmans of India who constitute 4½ crores should remember that there are a crore and

fifteen lakh Hindus across the border. And it is in the interests of both Hindus and Mussalmans that this friendly relation must be stabilised, this friendly relation must be established between our two neighbouring States. There are newspapers and journals, there are organisations and associations that exist in the land which foster and foment unfriendly relationship between our two neighbouring States. There is the Hindu Mahasabha, there is the Rastriya Swayam Sevak Sangha and other communal organisations which foment troubles and rouse communal passions in order to vitiate and corrupt the whole atmosphere of the country.

Mr. SPEAKER: Mr. Badrudduja, you have made enough references to communal and other matters. Please now come to the Bill itself.

Janab SYED BADRUDDUJA: I would appeal to the Government in the name of stability, in the name of security of the State to take notice of those organisations rather than to drag in poor and unfortunate innocent people who cannot afford to be fully represented on the advisory board, on the most flimsy, mischievous and spurious reports supplied by some police officer I had occasion only recently to approach the Hon'ble the Chief Minister in connection with a case in my own constituency of Dhulianganj where an unfortunate person was arrested under the Preventive Detention Act. This person had helped the Government in securing one lakh of rupees worth of goods which was being smuggled across the border but because of the conspiracy of the other party he was dragged in. There was a conspiracy which had been hatched in secret and he had to remain in jail for five or six months. His case was sent to the advisory board and the Chief Minister wanted to help him. He was very generous to me when I appealed to him but he could not save that innocent person who had an unblemished record of service and who had helped the Government but still be could not be helped by the Government. That created an awkward situation and Government had to wriggle out of that desperate situation. Therefore, Sir, with all the emphasis at my command, with all the seriousness at my disposal, on the ground of the security of the people I condemn any attempt to introduce any legislation which smacks of reactionarism, any legislation which wants to curtail the civil liberty of the people, any legislation which cuts across the very conception of democracy, any legislation which sits tight as a nightmare upon the hearts of the people, any legislation that creates misapprehensions, that creates misgivings, doubts and suspicions in the minds of the people that on the eve of the election these reactionary provisions of the Security Bill will be used against political opponents, as was done in the Howrah by-election and in the case of the ex-Editor of "Abgara" who had the courage to go against a particular Minister and against the corrupt practices adopted in the byelection at Howrah.

Sir, the Hon'ble the Chief Minister while referring to a certain observation of the then Chief Minister, Dr. P. C. Ghosh, said, "The Security Act was meant for the communalists and the blackmarketeers." Sir, how I wish it was so. But unfortunately we find that on the eve of the Hyderabad troubles, on the eve of the apprehended Kashmir troubles, police officers began to discover plots of conspiracy and poor, innocent Mussalmans were dragged in as spies of Pakistan. In that way, Sir, the four crores of Mussalmans might be trapped in a moment on this flimsy pretext. But if there is really any charge against them, why are they not sent up to the Subdivisional Officers, the District Magistrates? Are they not fit enough, are they not competent enough to deal with such cases under the Indian Penal Code which still now exists? But on any flimsy pretext or ground, real or unreal, you arrest them, subject them to all sorts of trouble and drag them into jail. Sir, it may be that this Act is applied at times

against communalism but more particularly it is applied against those political individuals who have the courage to differ from you. I therefore appeal to the Chief Minister on the eve of the general election before we disperse and before he leaves the House with the blessings of Heaven above not to embitter the relation but to soothe the troubled water and create a condition for a better understanding so that the election may be free and fair and without any interference, and Mussalmans and Hindus and all other classes of people, to whatever political persuasion, to whatever culture, to whatever organisation they may belong, can exercise their franchise unfettered by any other consideration.

With there few words, Sir, I condemn this Bill.

- Si. HEMANTA KUMAR BASU: न्नीकात बरानत, এই Bill नघरक वर्षिष्ट जारलावन। হয়েছে। এই বিলটি যে অপণতাধিক তা আমাদের তিন নিকে নিরোধী দল তাঁদের বক্ততার মধ্য দিয়ে ৰঝিয়ে দিয়েছেন। কারণ এই বিলের পিছনে কোন রক্ষ জনসাধারণের সমর্থন নেই। যদি সরকার পক্ষের সাহস থাকত তাহলে এই বিল নিবে বাইরের জনসভার আলোচনা করতেন, কিন্তু তা তাঁরা করেননি। বাইবে হাজার হাজার জনসভা হয়েছে কিন্তু কোন সভাতেই এই বিলের পক্ষে কোন সমর্থন পাওয়া যায়নি। সেইজন্য এই বিনটি সম্পূর্ণ অগণতান্ত্রিক। বর্তমান দেশের যে অবস্থা, সেই অবস্থায় এই বিলেব কোন প্রোজন আছে বলে আমি মনে করি না। শুল্কেম ডা: পুজুর চন্দ্র যোঘ কালকে তাঁর বস্কৃতাব মধ্যে পরিকার করে বলেছেন যে তাঁর মন্ত্রির কালে যথন বিলটি পুৰত হয়েছিল তথন বিশেষ কারণে ও নিদিষ্ট সময়ের জন্যই বিলটি তৈবী হয়েছিল। কিন্তু আজকে দেশেব যে অবস্থা, সেই অবস্থায় এই বিলের কোন প্রয়োজন আছে বলে আমি মনে কবি না। দেশে যে সমস্ত ঢাকাতি ঘটছে সেওলি দমন করবার জান্য পুলিশেব যে বিশেষ চেষ্টা আছে তাও আমবা দেখতে পাচিছ না। এই Security Act দেশে থাকতে চরি ডাকাতির সংখ্যা কি কমে গিয়েছে ? দেখা যাচেছ যে সুরকাবেব विरतांशी तम नमञ्ज नज ও वास्ति बाएइन ठाँएमत উপतरे এই Security Act, नमरा ७ प्रमारा शरामांश कवा इराइ। तारे जना जानि गरन कति वर्तमान जनसाम এই विरातन त्यांन शुरमाञ्चन तारे। शुरमाञ्चन ए तारे वतः य गमछ बाक्षरेनिटिक वलीरमंत्र এই Security Act এর আইনে আনক করা হয়েছে তাদের অবিলয়ে ह्हा ए अया डेहिज, कांत्र वाशामी निर्दाहन वागहा, अर Security Acta याएन क्या शरपह जाएनत ষধনই কোট বা আদালতের সামনে উপস্থিত কবা হয়েছে তথনই দেখা গিয়েছে যে তাদের যে সমস্ত কারণে ধর। **ছরেছে দেওলি সম্পর্ণ জমলক। দেই জন্য আমি মনে কবি এই বিলটি পাশ করা উচিত নয়।**
- **8j. SIBNATH BANERJEE:** Sir, the ministerial bench is absolutely empty. Have they vacated?
- Mr. SPEAKER: I think it is desirable that some of the Ministers should be here.
  - 8]. SIBNATH BANERJEE: Let us adjourn till they come back.
  - 8j. JYOTI BASU: I think they have gone for tea-it is 5 o'clock.
- 8j. HEMANTA KUMAR BASU: স্পীকাব মহোদয়, মন্ত্রীমহাশায় ন। আসা পর্যান্ত কি আমি বঙ্গে থাকব।
  - Mr. SPEAKER: Mr. Basu, don't you speak.
- SJ. HEMANTA KUMAR BASU: শীকাৰ মহোদয়, আমরা কয়েকড়ন যদি বাইরে যাই ডাছলে কি House চলতে থাকবে?
- Mr. SPEAKER: I am simply waiting for a few minutes. If they don't come, I will adjourn the House.
- 8j. HARIPADA CHATTERJEE: It is a good lesson to them. This is an insult to you and to the House. Therefore, let us adjourn the House.

Dr. P. C. GHOSH: Let us also go out—then there will be no quorum.

Mr. SPEAKER: As there is no Minister in the House, I adjourn the House for 10 minutes.

(The House was then adjourned for 10 minutes).

#### (After adjournment.)

Mr. SPEAKER: Just before the adjournment I found that there was no Minister in the House. This is always regarded as disrespect to the House. Even after waiting for one or two minutes when nobody turned up, I had to adjourn the House. I wish that this ought not to be repeated again.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am very sorry that this has happened, but it was really not premeditated. The only thing I wish is that discussion on this matter will be finished quickly.

8j. HEMANTA KUMAR BASU: আমি পূর্থমে বলেছিলায় যে এই আইনটা সম্পূর্ণ অগণতান্ত্রিক ও অবান্তর। তার কারণ এই Security Act পাশ হবার পর ধেকে অসংখা সতা সমিতিতে এই আইনের পূতিবাদ হরেছে। সেইজন্য সরকাবের উচিত ছিল—এটাকে জনমত গুহণের জন্য circulation প্রদা। বেহেতু সরকার জনমতের ধার ধারেন না,—সেই জন্যই এই circulation motionটা আনা হরেছে। বর্তমান অবস্থায়,—আমি মনে করি এরকম আইনের কোন আবশ্যকতা নাই। এই বিলটা যে উদ্দেশ্যে এনে আইনে পবিণত হয়েছিল, সে উদ্দেশ্যে এই আইনটা পুরোগ করা হয় নাই, এবং রাজনৈতিক কারণে বিক্লদ্ধ দলকে দমন করবার জন্য এই আইন পুরোগ কবা হয়েছে। সেইজন্যই আবার এই সংশোধনী পুরাবশুলি আনা হয়েছে।

শুদ্ধের ভা: পুরুদ্ধ চন্দ্র বোষ সে সময় ঐ পক্ষ থেকে (pointing to Government Benches) বলেছিলেন—''এই আইনটা বিধিবদ্ধ কবছি একটা বিশেষ সময়ে ও বিশেষ কারণে।'' আমার মনে হয় এখন সেই বিশেষ সময় আব বিশেষ কারণ নাই। স্কতবাং সকলেরই মনে সন্দেহ হচেছ—বোধ হয় আগামী নির্বাচনে এই আইনটার ব্যবহার করবার জন্যই এটার সংশোধন করা হচেছ। আমি মনে করি, এ আইনের আবশাকতা ত নাই-ই, বরং যে সমস্ক রাজনৈতিক বন্দীদের এই Security Acta আটক করা হয়েছে তাদের সকলকেই ছেড়ে দেয়া হোক আগামী নির্বাচনের পর্বেই।

কোন কারণে এবন এই আইনের সংশোধনের পুরোজন হলো। দেশে ভাকাতির সংখ্যা বেড়েছে কিছ তা দমন করা যাচেছ না, এইজনা ? কিছ এই Security Act থাক। সবেও (এবং বারবার কোরে তা amend করা সবেও) ভাকাতির সংখ্যা কমছে না,—কেন ? সেটা তাঁরা নিজেদের জিল্পাসা করুন। নিশ্চমই এর মধ্যে আরো কোন কাটি রয়েছে যার জন্য ভাকাতি দমন করা যাচেছ না। এসব সাধারণ বে আইন আছে তা ছারাই দমন করা যায়। কারণ Security Act হওয়ার আগেও অনেক ভাকাতি হয়েছে এবং সরকার তা দমনও করেছেন। কিছ এখন দমন করা যাচেছ না কেন ?

এখন, আমি এই Security Act কি ভাবে পুৰুক্ত হয় সে সহছে দুচারটি ঘটনার কথা বলছি। ১৯৪৮ সালে একদিন রাণাঘাট মহকুমার একটা ঘর থেকে "ভাকাত—ভাকাত" বলে চিৎকার করা হরেছিল। আর ভার পরের দিন হঠাৎ ১,২০০ লোককে Security Act অনুসারে প্রেপ্তার করা হলো। আশ্চর্ন্য এই বে, ভিন নাস পর্যান্ত ভাগের বিশ্বছে কোন charge দেরা গেল না। সূত্রাং ভারা স্বাই খালাস হয়ে বার । ভারপরে ১৯৪৯ সালে পুরি ২০০ জনকে প্রেপ্তার করা হরেছিল ঐ রক্তর ভাবেই। এই রক্তর বতওলি ঘটনার বিবরণ আনার কাছে এসেছে, ভাতে দেখা গেছে বে, রাজনৈতিক কারণেই এটার প্ররোগ করা হরেছে, এখং বে কারণের জন্য এ আইনটা তৈরী হয়েছিল সে কারণে পুরোগ করা হয় নাই।

সূতরাং আমরা দেখেছি জনসাধারণ তার জন্যে বত না দায়ী তার চেয়ে বেলী দায়ী পুণিস ও গভর্ণবেশ্ট 
officerর। আমি অনেক জনসভার জিজাসা করেছি সাধারণ লোককে তার। আজকাল সরকারী জিকলে 
বেয়ে কি রক্ষ ব্যবহার পার। দেশের তো এখন স্বাধীনতা এসেছে; সরকারী কর্মচারীরা পথেবর যত ব্যবহার
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করে না "এস ভাই, বস ভাই, তোমান্ন কি দরকার ভাই" কোরে অর্ভর্গ্যান করে। 'আনিই পান্নই বা অবার পাই যে এবন অবস্থা নাকি পূর্বের চেরে পোচনীর হয়েছে। বদি সবকারী কর্মচারীদের কাছ থেকে সন্বানহার বা পাওরা যার ভাহনে লোকের অনান্তি বাড়বে এটা স্বাভাবিক; সূতরাং আমি মনে করি বে Security of state in danger এই কথা বলে মন্ত্রীমহাশয়রা প্রারই চীৎকার করেন বটে তবে রাষ্ট্রীর নিরপত্তা বিপানু হওয়ার একটা ঘটনাও পেবাতে পারবেন বলে আমি বিশাস করি না। সূতরাং সকল দিক থেকে বিচার বিবেচনা কোরে দেবা যাচেছ যে আইনটা বেন বিশেঘ দল বা সরকার বিরোধী পক্ষকে বিপর্যন্ত ও দমন করার অনাই আনা হয়েছে। সংবাদপত্তে গভর্প বৈশ্ব বিবৃতি প্রকাশ কোরে বলেছেন যে বিশেঘ ধরণের অপরাধ যেমন ছালাভি পুভূতি দমন করবার অনাই এই বিল আনা হয়েছে। কিছু সংবাদপত্তের উপর কি ভাবে প্রয়োগ হবে বা হচেছ সে সম্বছে কিছু বলা ছয়নি। এই আইনের বিশেঘ ভাবে প্রতিবাদ করা দয়লার কারণ তাদের এই বাপক আইনের হারা যানুঘের বলা এবং মানুঘের ব্যক্তিবাদীনতা পুভূতি সমন্ত কিছুই বিপানু হবে। এই কথা বলে আনি এই বিলের তীব্র বিরোধিতা করছি।

SI. SIBNATH BANERJEE: Mr. Speaker, Sir, ডাজারের উপদেশ অগ্রাহ্য ক'রে আবাকে রোগণয়া থেকে জাসতে হয়েছে তথু মাত্র Dr. Royএর Government যে বিল এনেছেন তার বিরোধিতা করবার জন্য। এই বিল যতবার এসেতে ততবার আমি oppose করে এসেছি। বিটিশ আমলে ক্যক-প্রজা নীগ-কংগ্রেস coalition এর সময়ও বাধা দিয়েছি। তারপর মাঝে আমি মাত্র কয়েকদিন কংগেসে ছিলাম। ১৯৪৭ সালে আমি ৰাধা দিতে পারিনি, কিছ Congress Partyর মধ্যে থেকেও বতটা বাধা দেওমা সম্ভব তাই আমি দিয়ে এসেছি। ভখন এই Housed নিরপেক্ষতা অবলম্বনের অনুষতি পাইনি, কাচ্ছেই অনুপন্থিত থাকতে হয়েছে। গত ৰংসর অর্ধাৎ ১৯৫০ সালে যধন এই বিল এই Housed উপস্থাপিত হয়েছিল তখন আমাকে একাই তার বিরোধিতা क्बर्फ शरप्रक यात कना महिमधनी थेव विकक्त शरप्रहितन এवः Speaker बशानप्र अंगी शरफ शास्त्रनि । অনেকবার voting এবং division চেয়ে এবং বক্তৃতা দিয়ে বিলের বিরোধিতার চেষ্টা করেছিলাম। আবার আঞ্চ এসেছে তারই একটা নৃতন সংস্করণ, আমি এতেও বাধা দিচিছ এবং বাধা দেওয়ার মল ও fundamental कात्रण दल व्यामात्र Socialist Party এই तकम व्यादित विशास करत ना । व्यामता कथनछ এই কথা বলি না যে, civil measures দৰকার হয় না। Civil measures দরকার হতে পারে यरकत नमग्र वा यक्कावनात्मत किङ्गिम शत शर्य ग्रंड मत्रकाव २८७ शास्त्र এটা आमवा मानि । England वा জন্যান্য গণতান্ত্রিক দেশে এইভাবেই করা হয়ে ধাকে। আপনারা যদি প্রয়োজন মনে করেন তবে একটা Ordinance कहारू शारबन, किन्न राहोरक Security Acta शरिशक करत बाक्क हालारबन कहा व्यानवा বরদান্ত করতে পারি না। দেশে অনেকরকম আইন আছে, যথেটই আছে বনতে হবে, সেই সব আইনহারাই তো সাজা দেওরা যায়। আমার ও আমার পার্টির বক্তব্য হচেছ কোন দলকে charge জানতে না দিয়ে, সাক্ষী সাৰৰ নিয়ে পক্ষ সম্প্ৰিনৰ স্প্ৰোগ না দিয়ে সাজা দেওয়া জন্যায় এবং কিছতেই সম্প্ৰিযোগ্য নয় যদি গণতছের कथा बना इस । जाबि ता पिन উপन্निछ हिनान ना ; ता पिन नाकि Dr. Roy গণতদ্বের কথা শিখতে চেয়েছেন । আৰি তাঁকে শেখাবার ঔজতা প্ৰকাশ করব না। Englanda Rule of Law প্রচলিত শেচী তো অন্ততঃ छिनि योनएछ शांद्रारुन । जन्माना स्मर्टन (यो) छलएइ (यो) ज्यायासम्ब स्मर्टन दमन इनरव ना जानरछ हाई। Lawan পতি শদ্ধা এরা ববচেয়ে বেশী কুণু করেছেন। Law একটা ক'রে বেটাকে bypass ও circumvent करत जागनाता बलाइन "जानतार তा Law"। এটা Fascismএরই নানান্তর নাত্র। এখানেই ছচেছ Fascism আর গণতন্ত্রের তকাং। তারপর বিলের একটা sectionএ prejudicial Teport এর কথা দেখলাব। Prejudicial তো অনেক কিছই হতে পারে। আবরা এখনও ভুলিনি বলেৰাত্ৰৰ চীৎকাৰ কৰলে সেটা projudicial হোত, গান্ধীটুপি প্ৰনেও prejudicial ছোত। গাষ্ট্ৰীটপী পৰিহিত কাউকে দেখলে পুলিষ তাড়া করেছে এবং টুপী ছিনিয়ে নিয়েছে। জানি না Socialist Partys नान हेनीत उनत चाक्रमन शद कि ना।

বিভিনু partyর বিভিনু symbol আছে। কোন partyর কান্তে হাতুরী, কোন partyর চক্র, tiger পুভৃতি নানারকর symbol আছে। পুতেতকটাই তাঁদের নিকট prejudicial হতে পারে এবং ভাল জন্য সাজা হতে পারে সেটা কর্ত্বপক্ষের ইচছার উপর বা দয়ার উপর নির্ভর করবে। এবং সেটা ভাদের interpretationর উপর নির্ভর করবে। তার পরে High Court, Supreme Court কোরে

নিছাতি পাব। কিছ ততদিন অনেক দণ্ডই ভোগ করা হরে যাবে। Freedom of Press বে-क्कंटर curtail क्या शरुष्ठ अनः press शांधीनका यकात्व श्रम क्या शरुष्ठ के चामना क्लंटर পারি মা বে আমাদের স্বাধীনতা কুনু করা হচেছ। কাগজের মাধ্যমে আমাদের মত প্রকাশের অধিকার ক্রিয়ে মেপ্রয়া হচেছ। এই সৰ ব্যাপারে জনসাধারণের মধ্যে থেকে তীব্র বিক্ষোভ সৃষ্টি হডে পারে এই ভয়ে ওঁরো জ্ঞানাত্রন তাডাডাড়ি কোরে এই special amendments এনেছেন এটা স্বত্যন্ত দুংখের বিষয়। এটা কিছদিন পরে করা বেতে পারতো। তা ছাড়া সংবাদপত্র দবনের জন্যে ইংবেজেরা বছ আইনকানুন রেখে গিয়েছে। প্ৰভাৱাং এই special amendmentএর প্ৰয়োজনীয়তা বোঝা যায় না। Dr. Ghosh বলেছিলেন তিনি দই বংসবের জন্য এটা কোরেছিলেন; তখনও আমি তাঁর সঙ্গে একমত হইনি। এই রক্ষ একটা আইন দ্বই বংসরও নিশ্চয় থাকা উচিত ছিল না। চার বংসর পবে সেটা আজে পাশ হয়ে গেল। তারপর নতন Assembly यपि repeal ना करत उत्त जात्र अ इन्तर , यहा प्यानंत्र जाहेन हत्य शाकरत । এवन अमनह अकहा बााशांत्र गष्टै दाला त्य त्मरा security तांक हलहा बतन बना यांत्र । जादेन या जातह ताहे। बाताश: ताहे। fundamentally oppose করছি, কিন্তু আরও বড় কথা হচেছ তার implementation আরও লয়ানক। খনেক বন্ধা বলেছেন এটা misleading হয়েছে। খনেক case আমি জানি, এখানে প্ৰত্যেকটা ক্রান্তর করা সম্ভব নয়। আমি তথু একটা ঘটনার কথাই বলবো। একটা case তথ গড় বংসর Socialist Party strike declare করেছিলো তখন partyর ৫০ জন করীকে গ্রেপ্তার করা হর এবং বছ বাধা সত্ত্বও strike হয়েছিল যদিও বড় strike হবে বলে আশা করেছিলাম তত্ত্বত ছয়নি। যাদের নাকি গেপ্তাব করা হয়েছিল তাদের দু'দিন বাদেই ছেড়ে দেওমা হয়েছিল: কারণ পরে দেখা গেল Security Acts কোন বিধানেই তারা পড়ে না। ষিতীয়ত: দেখানে Communismas উপদৰ ছিল না তা সহেও তাদেব ধরা হলো। Is it democracy ? এটা গণ্ড বন্ধ। এটা ফ্যাসিক্সম বা ফ্যাসিষ্ট রাষ্ট্র। এবা এক পা দু'পা কোবে সেই ফ্যাসিষ্ট বাষ্ট্রভদ্ধের দিকে অগসর হচেছ। সাধাবণ আইনে বছ অস্কবিধা। আমি অনেকবাব ধরা পড়েছি মন্ত্রী মহাশয়বা সেটা জানেন। অনেক সময় थोनाय निरंग यो अपने किञ्जांना करवं अनिरंज श्रीता योग ना रकान section a थता हरना । श्रीनीय নিয়ে গিয়ে ফোন কবে তাবা সেটা জেনে নেয়। প্রায় কেতে এই বক্ষভাবে সময় নিয়ে section বার করে। বটিশ আমলে আমাদের উপব জুলুম হয়েছে বটে, তবে Rule of Lawas প্রতি তাদের একটা regard ছিল। কিন্তু আমাদের এই সবকার তাঁদেবকেও অনেক পিছনে ফেলে এগিয়ে গিয়েছেন। তাঁবা জানেন এইসৰ জ্বগণতান্ত্ৰিক আইনকান্নের হাবা সোজা পথে ধবা যাবে, কোনরূপ পুসাণাদিব দবকার হবে না। এটা গণতভ্রবিরোধী এবং Fascismএর দিকে একটা বড় step. আর একটা উদাহরণ দিচিছ। পঞ্চাশব্দনকে ছেড়ে দেওয়া হলে। কিন্তু একজন লোককে ছাডলেন না। দেখা গেল তিনি একটা unionএর secretary ছিলেন। গভৰ্ণবেশ্টের requisition করা একটা বাড়ী ছিল, riotএর সময় কতকগুলি লোক যেখানে এসে বাস কর্মছল। গভর্ণমেণ্ট দেখন তিনি যদি সেখানে উপন্থিত থাকেন তাহ'লে এই সমন্ত লোকদের সেখান খেকে উৎখাৎ করার অসবিধা হবে; তিনি হয়ত resistance বা বাধা দিবেন। সেই অন্য তাঁকে তিন মাস আটক রাধা হল। যে দিন সেই সমন্ত লোকের। বাধ্য হয়ে সেই বাড়ী থেকে সরে গেল, তার পরেই তাকে ছেড়ে দেওর। হ'ল। এই Security Act কিভাবে প্রযোগ হয় তার ভাজন্য প্রমাণ এখানে রয়েছে। মি: জে, সি, ভঙা এই विनाहि नवर्षन कत्ररु िादा नवराहद वड़ condomnation करत्ररून। छेनि वरलाइन এই विनाहि यनि political purposes4 use করা হয় তাহ'লে অত্যন্ত অন্যায় হবে। সেটা তাঁরা political purpose4 use করেছেন এবং পরেও করবেন। কারণ Law Department is the worst department अप: जात implementation शरुष्ठ चात्र worse. पू'वर चन नहीं मशाना हाला नकरनी অত্যন্ত কাঁকীবাল, অবশ্য এরাও ক্রমশ: কাঁকীবাল হয়ে উঠছেন। তাঁরা চেটা করছেন মুষ্টবোগে কাল বাতে লেবে নিতে পাবে। সেই জন্য তাঁরা Security Actএর মত একটা লোজা রাল্কা চান। বার হারা তাঁরা তাঁদের প্রতিহলীদের শিক্ষা দিয়ে দিতে পারেন। আমি দেই জন্য এই সময় এই আইনের প্রয়োজন খাছে বলে মনে করি না। এখন war emergencyও নেই। স্থতরাং এখন এই বিল খানা উচিত নর। তাঁরা বলছেন আমরা গণড়য়ে বিশাসী এবং আগামী রাধারণ নির্বাচন আসছে, যে নির্বাচন পৃথিবীর মধ্যে স্বচেরে वह निर्वाहन, खूछताः छात्र शूटर्वरे এই Security Actes withdraw कक्रन। छ। यपि मा क्राबन छा'द्दल free and fair election दश्या क्यन्य नव।

Janab MUDASSIR HOSSAIN: Sir, I have heard with rapt attention the speeches which have been delivered by my learned friends on that side. I have found that the House has been over-flooded with eloquence and before this eloquence everything has been swept away, and it seemed that there was nothing which could be answered. But if we come down from the region of imagination to plain statement of facts and analyse the speeches which have been just delivered, you will find, Sir, that there is nothing in those speeches. There is in them mere play of words. This is nothing but hurling abuses and invectives. Sir, this reminds me of the Bengali adage-যাকে দেখতে না পারি. তার **Б**लन বাঁকা, সকলেরই ভাৰী— which means that a poor man's wife is the charm and jest of everybody. In this case the poor man's wife is the Government, and everybody feels a great pleasure in cutting jokes with them. That is the meaning of the whole thing.

Sir, one thing is clear. There is the Security Act and before that there was the Defence of India Act; and after Dr. Ghosh took the office, he was the first gentleman who introduced the Security Bill in this Assembly.

#### Dr. P. G. GHOSH: Which you opposed.

Janab MUDASSIR HOSSAIN: Yes, I opposed it to my heart's content. Sir, this gentleman then said that this Act was necessary for the security of an independent State, and whatever amendments we proposed were swept away on the ground that it was necessary for the protection of this infant State. Sir, it is Dr. Ghosh who is responsible for this thing, and he says in this House today that it was only to remain on the Statute Book. But, Sir, may I ask him where was the provision in his Bill that it would only remain in the Statute Book and would expire after two years? If that were so, really it would have expired after two years and there would have been no necessity for enacting such a legislation now.

#### Dr. P. C. CHOSH: Please read that again.

Janab MUDASSIR HOSSAIN: Sir, he might have promised but did he introduce that provision in the text of the Act that it would remain in force only for two years? No. But now he finds pleasure in cutting jokes with this Government which is a প্রীবেব বৌ!

#### Dr. P. C. CHOSH: Why not file a divorce petition?

Janab MUDASSIR HOSSAIN: When the husband offends against wife or the wife offends against the husband, then the question of divorce petition arises. But there is no such question in this case.

Then, Sir, the fact remains that the Security Act remains in the Statute Book. Now, Sir, what is the scope of this Bill? It is an amendment to the Security Act which is on the Statute Book, and the Government—I mean the Hon'ble Chief Minister—finds it necessary to amend the Bill for reasons more than one; and I think, Sir, if you kindly go through this Bill you will find that there is a great improvement here in this Bill made on the Act which was sponsored and passed by the House of which Dr. Ghosh was the leader. That it is an improvement there can be no doubt about it.

#### Sj. BIMAL COMAR CHOSE: Where?

Janab MUDASSIR HOSSAIN: Everywhere. Let me explain. What is the scope of this Bill? Anyone who has eyes to see, ears to hear and heart to judge can find this out—judge means conscience and a good judge means a conscientious judge.

Now, the question is what is the amendment? My friend Dr. Glosh put in the words that any person can be detained or arrested on reasonable grounds. That was the section which was at first in the statute book. When the case went to the High Court and the Hon'ble High Court asked for reasons from the Government—what are the grounds on which you have arrested this man—you are going to put this man in jeopardy, what are your grounds? Then the Chief Minister Dr. Ghosh said "We cannot disclose them for reasons of the State". Then the High Court said "What reasons of the State can there be? The case has come before the court and you have put in your statute book—in your law—that you must arrest a person on reasonable grounds. When you are not in a position to disclose the reasons, we cannot say that there is reasonable ground." Therefore, the man was let off. On the next day, an amendment was brought by him and the words "reasonable grounds" were deleted from the statute book. The result was that the Government or the police was in a position to arrest anybody and everybody without showing any reason and without any ground whatever. Now, Sir, the Constitution says that reasonable restrictions may be put on the liberty and movement of a person for reasons of State. So, in order to bring it within the wording of the Constitution, the amendment has been brought that "prejudicial report" means what prejudicially affects the security of the State, the public order, decency or morality, the friendly relations with any foreign State or which incites or tends to incite the commission of any offence. These are the grounds on which a man can be arrested and detained without trial. Now, this is a great improvement upon the old Act because the grounds on which a man can be detained without trial have been specifically laid down and nobody can say that these are not very good grounds for detaining a person.

Now, Sir, another point has been raised, where is the safeguard that these reasonable grounds will be considered and will be found reasonable? In order to remedy this defect, an Advisory Board has been set up in which there would be two Judges, according to their amendment and the amendment of Mr. Sushil Kumar Banerjee—two High Court Judges or persons who are qualified to become High Court Judge or who have retired as Judge or served as Judge. These are the qualifications. As regards the appointment of these gentlemen in the Advisory Board, it has been said by many of our friends that they have got no confidence in them because they would be appointed by the Government. They may be qualified persons, they may be High Court Judges, they may be anybody—

(The red light was lit.)

Mr. SPEAKER: Your time is up.

(At this stage the House was adjourned for 15 minutes.)

(After adjournment.)

Janab MUDASSIR HOSSAIN: Sir, as I was saying, the objections which have been raised----

Mr. SPEAKER: I thought you had finished.

Janab MUDASSIR HOSSAIN: No, Sir.

Mr. SPEAKER: If you are so eager, please finish within three minutes.

sj. BIMAL COMAR GHOSE: Sir, I was down for speaking. If you will permit me to loan my time—

Mr. SPEAKER: You cannot give your time.

Janab MUDASSIR HOSSAIN: As regards the personnel of the Advisory Committee, the objection is that they may be highly intelligent persons, highly learned persons, still they are liable to be influenced by the Government. This is a very mean and, I think, poor compliment to our learned citizens. If citizens who have the qualifications of a High Court Judge can be influenced, nobody is beyond influence. Even the High Court Judges are appointed by the Government. What objection can there be to appointment by the Government of High Court Judges? Therefore, Sir, it is only for the purpose of opposition that these amendments have been brought by persons, which remind me of a Bengali adage.

They are chaluns and they point out the holes of the needles. Chaluns have got innumerable holes. So, it is these gentlemen who put the Security Act into the Statute Book, and they now-point out that it is the perversity of the other party which has led them to bring in amendments. It is clearly they who are chaluns and these gentlemen are so many sunchs (laughter). Sir, if you scrutinise their objection, you will only find that they are meant for the original Security Act and not for this amending Bill.

Janab Md. KHUDA BUKHSH: Mr. Speaker, Sir, I had no intention to speak at the third reading of this Bill. But my honourable friend Mr. Jyoti Basu referred me to the speeches that I delivered when the original Security Bill was before the House. Sir, then I was in the Opposition, and it was my duty and my privilege to oppose. Sir, if I had succeeded in opposing the Bill I think it is now a proper occasion for me to give a brief account of the facts. I tried to advance the reasons that I could think of in support of my point of view, i.e., to oppose the Bill, same as those who now constitute the Opposition supported that Bill, because it was their duty and their privilege to do so. But I must point out the speech that I made then. I am reading out from the published proceedings of the Assembly for the edification of my honourable friend, Sj. Jyoti Basu. Sir, I said: "Our party having long been associated with the Government of this country realised that at times of stress and emergency Government have to assume special powers. Sir, in this connection, if I am permitted to say so, in this wretched business of governing the country a Government has to anticipate difficulties and provide against them in advance. Indeed, Sir, the success or otherwise of Government depends largely on its ability to anticipate administrative difficulties." Sir, I did certainly concede to the Government the right of assuming special powers but I opposed the Bill. I also said: "The people of Bengal are determined to eschew communal violence and they are united to a man to safeguard the stability of the province both from internal disruption and external aggression." Now, Sir, I ask my honourable friend—can he conscientiously say that the people of Bengal have eschewed communal violence? (Sj. Jyott Basu: So long as you are there!) Sir, I do not know who are instigating communal violence. My honourable friend seems to know more about those persons than I do. But I do not belong to that group of people who instigate communal violence, and I confess most handsomely that I do not. (Sj. Jyoti Basu: You belong to that party.) I am sure that the entire House will agree with me that subsequent events have belied my hopes. I hoped that after independence had been won, after the new concept of nationalism is there and we wanted to march forward with

the progress of the country, things that we had not anticipated, things that we had not hoped would occur, have happened. I ask again: will it be correct to say that there is no communal violence in the country, will it be correct to say that there are no people who are trying to subvert the stability of the province? Will it be correct to say today especially that there is no danger of external aggression and that there is no talk of both internal disruption and external aggression? Therefore, Sir, I conceded to the Government the right and principle that special powers were necessary, and when the Bill was introduced I said this: "Sir, this Bill comprises certain Ordinances which were promulgated by the Government which felt that the Government should arm themselves with sufficiently wide powers of an extraordinary nature to deal with the situations that might be created with the advent of independence, when it did come, and when the country was passing through troublous times. Government would be able to foresee how the situation would develop after such a momentous occurrence as the transfer of power to the people of India from the foreigners."

Now, Sir, I hope I have been able to prove that I have been consistent. If I have opposed the Bill I have opposed it on its merits and as it was my right and privilege to oppose when I was sitting in the Opposition, same as those very gentlemen who took the odium. Again, Sir, I am quoting for the edification of my honourable friend: "Dr. Ghosh had to take all the criticisms and odium about this Bill and now that it is going to be put on the statute book he has been given marching orders, and that by the party on whose behalf he was speaking."

Janab A. M. A. ZAMAN: মিটার স্পীকারবহোদর, এখানে আবার বিশেষ ছিছু বলাব ইচছা ছিল না, কিন্তু করকেটি কারণে দু'একটি কথা নাবললে আবার বনে হয় অন্যায় হয়। একই কথা বারবার Opposition থেকে আবাদের পোনান হচছে। তাঁরা বলজেন এই বিল দু'কসন্তের অব্য আনা হয়েছিল, কিন্তু এখন ৪ বংসর হয়ে গোল এটাই তাঁদের আগতির পুধান বিষয়। এই কথা তানে আবার একটি পুারা গলপ বনে পডছে। এক ব্যক্তি ১২ প্রসা দিয়ে একটি মুনগী কিনে আনে। বাড়ীয় বেড়া তিদিয়ে পাধ করে শিরাল সেই মুনগী নিয়ে যায়। তথন সেই ব্যক্তি সকালবেলা চীৎকার করে লোক অনিয়ে কেলে। তার কথা হচছে মুবগীর জন্য কিছু নয়, কিন্তু এই যে বেড়া ডিলিয়ে রান্তা করে দিয়ে গোল এটাই য়চছে শভার কথা। ছতরাং আমি বলছি পথ তো তাঁরাই পেবিয়েছেন, এখন আর এসব কথা বনে লাভ কি ? আমি আনিনে কেন, আমি মধনই কোন কথা বলতে চাই তথনই জ্যোতিরারু ক্রেকটা remark pass করেন। তাঁর আনা শ্রক্তার আজা পুার ৩০ বংসর হয়ে গোল, ওনার জন্যাবার আগে থেকেই আমি এই স্বেশে politics করছি।

\*\*C. R. Das যখন বেঁচেছিলেন তখন থেকেই আমি politics করছি, উনি তথন অনুগুরুণ করেন নাই। ওনাকে কোথা থেকে আবদানী করা য়্রেছে তা আমি বলছে। ওনার বাড়ি য়চ্ছেশ্ পাকিছানে। উনি পাকিছানের সঙ্গেই জড়িত আছেন।

Mr. SPEAKER: No personal reflection, please.

- বল্পছি বে নিজেকে দানদারার আসোঁ চেটা ককন। এবানে সুস্দানার। এসেছে পাকিছানে কিরে বাওরার কলা দর। যে সমস্ত সুদানানদের সম্পত্তি হিন্দুছানের মধ্যে রয়েছে তার। সে সমস্ত সম্পত্তি ছেড়ে পাকিছানে চলে বাবে না। তানার বাড়ী পাকিছানে রয়েছে, উনি এবনও declaration দেননি বে উনি সে সমস্ত সম্পত্তি বিক্রম করে বিরে চলে এসেছেন। তানার এবনও কিছু সম্পত্তি পাকিছানে রয়েছে তার জন্য তিনি বাঝে বাবে কলিবার বান।
- 8j. JYOTI BASU: On a point of order, Mr. Speaker, Sir. The point of order I am raising is this that once before in this House you allowed the Hon'ble the Judicial Minister to rise on a point of order and to go on making a speech but I won't do it. The only thing that I would point out is that supposing that somebody during his speech utters an absolute lie about my home, about my property and other things, am I entitled to stop him and to refer to the facts as they are because he has uttered absolute lies about my home, about my property and about everything.
- Mr. SPEAKER: If there be any aspersion cast upon a member he is certainly entitled to rise on a point of personal explanation. Let the speech of the honourable member be finished first and after that if you demand to rise on a point of personal explanation I will permit you to do so.
- Janab A. M. A. ZAMAN: উনি কি বলতে চান যে ওনার চাকা জেলায় বাড়ী নাই বা কোন সম্পত্তি নাই এবং তার জন্য তিনি সেখানে যাতায়াত করেন না। কে বিধ্যাবাদী সেটা প্রমাণ করতে হলে ভুলাকে চাকার বেতে হয়।
- Mr. SPEAKER: Mr. Zaman, I am very sorry to say that the speech is more personal than on the subject before the House and it will not be proper for me to allow so many personal reflections to be made in this House.
- Janab A. M. A. ZAMAN: ওলাকে আর একটা কথা বলতে চাই উনি বে শুমিকদের চনকে বড় বড় কথা বলেন কিছু আমি ওলাকে challenge করছি যে, আমি, বে Constituency থেকে একেছি তিনি আমার সক্ষে সেখানে গিয়ে আমার contest করুন। দেখবেন যে তাঁরা জ্যোতিবাবুকে চান না আমাকে চান, এবং এটা আমি প্রমাণ করতে প্রস্তুত আছি।
- Mr. SPEAKER: Your time is up. Yes, Mr. Basu, you may now raise your point of personal explanation and you will please do so in short and without invectives.
- 8]. JYOTI BASU: I never thought that this would be necessary but unfortunately I was surprised to find that this gentleman sitting there, during his speech, uttered all sorts of lies against me. First of all, Sir. I would like to tell you——(Interruptions from the Treasury Benches.) Am I not entitled to make my personal explanation without interruptions?
- Mr. SPEAKER: A statement was made by a particular member against another member of the House and if the latter member objects to certain things which were said against him on the ground of their not being true I believe he is entitled to say in reply that those were lies if they were really so and the House should give him a hearing.
- Pakistan, but certainly Pakistan is the land of my fathers. He should know that I was born and brought up in Calcutta. I do not know how many years ago he came here or what is his age and so on. But I am certainly a citizen of Calcutta. My home may be in Pakistan but the point I want to emphasize is that I have no property in Pakistan, and I do not engage in blackmarketing activities in Pakistan because, Sir, he mentioned certain places in Pakistan and associated my activities with them. He mentioned

two places and if I remember aright one was Darsana and the other was Barodi and he said that in Barodi there is some bazar or something where I have a share. I can tell him that Jyoti Basu possesses no share in any market anywhere in the world, let alone Pakistan. With regard to Darsana I have certainly passed through Darsana to different places in Assam and East Bengal and other places but I have no property there, as he was trying to point out. Therefore this is a part of the personal explanation which I wish to give and before I sit down I would request you, Sir—I do not know whether it is at all possible—to control that gentleman a little bit.

Mr. SPEAKER: I will look to that, it is my jurisdiction.

8]. HARIPADA CHATTERJEE: गडाशाम वद्यानम, जाबारमत नःविवादन शनिनरक ৰহ ক্ষ্মতার অধিকার দেওয়া হবে। কিন্তু এই কাল বিলের খারা আমাদের প্রধান মন্ত্রীমহাশ্র dictatory ক্ষমতা নিজের হাতে রাখতে চাচেছন। যদি তিনি কেবল নিজের হাতে এই ক্ষমতা রাখতেন তাহলেও বুঝতাম বে किंडू र'ल । किंड State वा शञ्जीरमण्डे मारन जामिता स्मित्र को कीमात ए मात्रशा स्थातक जानक, अन है नन আবার কিছু নেই, এরা যা করে তাই হয়। অবশ্য এই বিলটি সমর্থনের জন্য খুব ভাল ভাল বোদ্ধা এখালে আনদানি করে আরাদের সামনে বক্ততা করিয়েছেন। কিন্তু কেবল মদাসর হোসেন বা জামান সাহেবদের দিবে বক্তৃতা করিয়ে এই বিল সমর্থন করা যায় না। জামান সাহেব অসাম্প্রদায়িকতা দমনের জন্য আ**লকে** এই বিল সমর্থন করছেন কিন্তু ১৯৪৭ সালে পথম যখন এই বিল রচনা হয় তখন তিনি কি বলেছিলেন ড১ আৰি ১৯৪৭ দালের Assembly proceedingsএর একটা copy থেকে পড়ে শোনাচিছ। তিনি ৰলেছিলেন, ''বাঁর। আজ কংগ্রেসের নামে নিজেদের পরিচয় দিতে চান, তাঁব। হিন্দু মহাসভার ডা: न্যামাণুসাদ मुश्रीमित्कथ वह मृत्त गतिरात्र पिरात्र এथन communalভाবে वस्कृष्ठा करतरहन, य जाँशायत नामत्र गात्रा ভারতবর্ষে বুঁজিয়া পাওয়া যাইবে না। গত বংসর হতে আমি তাঁদের পিছনে বসে থেকে তাঁদের অর্থাৎ তথা-ৰুণিত Congress Assembly পাট্টর বন্ধতা শুনেছি কোনদিন তাঁরা communalism ছাড়া বন্ধতা করেননি। আজ কংগ্রেসের মুখে এই সব বন্ধৃতা শোভা পায় না।" জামান সাহেবের সেই ১৯৪৭ সালের ৰজ্তা আৰু আৰু ১৯৫১ সালে তিনি Congressএৰ benchএ ৰসে এই কথা বলছেন। (The Hon'ble-Prafulla Chandra Sen: ১৯৪৭ সালের কোন মাসে ?) কোন মাসে সেটা Assembly proceedings (पथरनरे बुबार्ड शावरवन ।

১৯৪৭ সালের জারান সাহেবের সমর্থনে বাঁরা ছিলেন তাঁরা সকলেই যদি তাঁর সমর্থনে যুক্তি শেখান্ডে পারতেন তাহলেও বুথতার; কিন্তু থালি জারান সাহেব বা মুদাসর হোসেন সাহেবকে এগিয়ে দিয়ে এই বিল সমর্থন করা যায় না। খোদাবল্প সাহেবও অনেক কথাই বলেছেন। সত্যি সত্যি যদি communalism পরন করবার জন্য এই বিলটি ব্যবহার হ'ত তাহলে আমি খুসী হতার, এবং বলতার যে আপনারা একটা কাজের বন্ত কাজ করেছেন। কিন্তু তা হয়নি। কারণ ওলের কর্মচারীরা এত Communal যে পৃথিবীর বন্যে তার কোখাও বুজে পাওয়া যায় না। এয়া রাম্ট্রবিরোধী এবং পণ্ডিত নেহেরুর পিছনে ছরী নারছেন। জনার খোদাবল্প সাহেব একজন কংগ্রেসের বড় কর্মীর নামে, মাইনরিটি বেছর হিসাবে Hon'ble C. C. Biawasএর কাছে, গত সাম্প্রদারিকতার সময় একটা প্রতিবাদ জানিয়েছিলেন। আমি জানি এই ঘটনাটা সত্যি। আমি বিজের গায়িছে এই কথা বলছি। Hon'ble C. C. Biawas মহাশায় এই সাম্পুদায়িক কংগ্রেসীর দিল্লীচুন্তি বিরোধী ইন্তাহার বজীর সরকারের কাছে পার্টিয়ে তাদের দৃষ্টি আর্কর্থণ করেছিলেন কিছ তাতে কোক কল হয়নি। উপরন্ধ নদীয়ার অনেক হানে এই কংগ্রেসী নেতা যে সংখ্যালগুদের পুক্ত রক্ষাকর্তা এই বর্কে কংখ্যালগুদের লাছে খেকে জাের করে টিপ নেওয়া হচেছ। যদি এই টিপ না দেয় তাহলে তাদের Ration Cardএর ration দেওয়া হয় না। একটা পিক্তিত সংখ্যালগু নাম দিতে রাজি না হওয়ায় তার বাড়ীর সকলের ফরেছে। Billএর ক্ষমতা হাতে পেলে কর্মচারীরা কিন্ত্রপ এই কলম্বের্যার থেকে বাঝা যাচেছ।

আর, এই বিলটার কি শোচনীয় কল হবে তাই আরি বলছি। এই বিলটি পাস হবে, গতর্পনেশ্টের **হাডে**-থাকারে, কি অবস্থা হড়ে পারে তার একটা উমাহরণ দিছিছ। আমানের ওবানে হিন্দু বহাসতার একজন সভা<sub>ল</sub> বিচানি M.A., B.L. উদিন। তিনি একজন বুসনুদানকে সংখ্যানপুর হবে আবার কাছে নিবে এবেন—আবি সেখানকার constituency represent করি; স্থতরাং আনাকে তার কথা শুনতে হ'ল। এইটি না কলনে আবার কর্জন করা ববে না, নেই জন্য এই কথা বনছি।

তিনি আনাকে বন্ধনেন ১৬ জন লোককে Public Security Acta একে একে ধরা হরে এবং জনেককে ইতিমধ্যে ধরা হরেছে। তাঁদের দোঘ তারা নাকি হারদ্রাবাদের জন্য চাঁদা আদার করছিল। কিছ হারদ্রাবাদের জন্য চাঁদা আদার করছিল। কিছ হারদ্রাবাদ কি তা তারা জানতই না, তা তার্মা চোক্রেও দেবেনি। আমি জানি এরা বানি বান, চালের হিনাম বাবে। এদের মধ্যে একজনের নান হচেছ মুনুক বঞ্জ, নারারণপুরে বাড়ী। তিনি এদের উকিল ছিলেন এবং এক্যা তার প্রায় ১৫ বছরের পুরাতন নভেল,—এদের তিনি তাল করেই চেনেন। তিনি হিন্দু মহাসভার লোক হরে, এদের পক্ষ নিমে বললেন, এদের বিষয় বিষয় বরের দিন। কারণ, আমি জার্ম কর্মেজানি, এরা এ কাজ করেনি। এদের কেন শুরু পুরু Public Security Acta বরে নিমে যাওয়া হ'ব। আমি ভবন ক্রেনাক্রার S. P.র সাথে এই সরন্ধ রাগার নিমে আলাপ করি, এবং পরে নেই ১২ জন লোক, যানের বরা হর, জারা নিকৃতি পার। স্নতরাং আজকে বাঁরা এখানে বনে এই সরন্ধ কথা বলছেন, বেনন আজকে খোদাবার সাক্ষের হঠাৎ supporter হয়ে পড়লেন communalism দমন করবার জন্য, কিছ তা পূর্বে কথনও অনাক এবং ভবিষ্যতেও হবেন না। এই সমন্ত লোক, চৌকীদার ও দারগা, এরাই হ'ল Stateএর আসক লোক, এরাই স্বান্ধকে চালাচেছন।

কিছুদিন পূর্বে প্রধান মন্ত্রী বহাশন আমার বন্দুকটা বিনা কারণে কেড়ে নিলেন। গতবার পুশুনুর উন্ধরে নিজেকে support করে তিনি অনেক বলনেন, অথচ তিনি আমাকে একবার জিল্লাসাও করনেন না । একটা case, sub-judiced আছে এবং বাদী আমার বন্দুক বেআইনী কালে ব্যবহার হয়েছে এবণ কথাও বলে নি, অথচ আমার বন্দুকটা কেড়ে নিয়ে গোলেন। বন্দুকটা নিয়ে যাবার সময়, আমার বাড়ীর সামনে চায়ের দোকানে সমন্ত লোক দেবল, আমার লী তিনিও দেবলেন। এইভাবে আমাদের রাজত্ব চলতে, কি স্থান্ধ স্থান্ধ স্থান্ধ হারতে এই রক্ম জিনিখ স্ব চলেছে। পুলিশ পুতিদিন অসংভাবে টাকা উপার্জন করছে অথচ তাদের বিরুদ্ধে কিছু বলবার উপায় নেই, লনিত সিন্ধি একজন অসাশুলায়িক লোক, ভার বন্দুক কেড়ে নেওয়া হয়েছে তার পূর্বপুরুষের আমল থেকে ৮০ বংসর ধরে তার বন্দুক রয়েছে, কিছু বে আমাশুলায়িক বলেই তার বন্দুকটা কেড়ে নেওয়া হয়েছে। অথচ পুরুষ্ণোর যারা communalist তারা বন্দুক বিরুদ্ধে ব্যবহা যা স্তানেৰ জনতে। এটা লেখায় থাকবে আম মুৰে আমনা বলতে পারিনা।

পাকিছানের কে কি ন্যায় কি অন্যায় করে তা আনাদের রাট্র বুঝে নেবে; কিন্তু তার আগে আনাদের এবাদে বতাmmunalism এব virus এবানই বন্ধ করতে হবে—এবং ব্রহবালও তাই বলেছেন। আনরা লীগারন্ত্রিদের বলতান communal। কিন্তু আনরা জানি আনাদের এই মন্ত্রিগভার মধ্যেও অনেকে রয়েছেব বতাmmunalist. স্পুতরাং Electionএর তিন নাগ আগে এই অক্স ওদের হাতে দেবার কোন কারণ নাই। এক-একটা করে আনি বহু ঘটনা দেবাতে পারি যাতে সহজেই পুরাণিত হতে পারে—আনাদের এবানে কি বন্ধ কালির করে আনি বহু ঘটনা কেবার হালার চাকা নাই। সম্পুতি আনি মুশীলাবাদ থেকে এগেছি দেবানে এক-একটি সরকারী হাজার হাজার চাকা রোজগার করছে মুম্ম হিসেবে। সম্পুতি কয়েকটি caso কথট-judice হরেছে সে সম্বন্ধ আনি case উল্লেখ না করেও এইটুকু বলছি বে তারা amuggle কর্মবের, নাষ্ট্রের আনিই করেনে তার protest করলে—তা কেউ পরোরাই করে না। এসব আনি রাষ্ট্রকে সাহাব্য কর্মবার জন্যই বলছি আনাদের কথা যদি না পোনেন দেটা ঠিক হবেনা। ঐ সব আন কর্মবারীদের বন্ধি শারেল্ডা না করে চন্ধতে দেন তাগের ইচছাবত যেনন তারা চলছে তেন্ন্নি—তাহনে দেশের ও রাষ্ট্রের অবক্ষর হতে বাব্য। এবং আনাদের এইসব কথার একেবারেই কান না দিয়ে যদি আপনারা তব্য এই বিধা অনুসর্গ করেই চলেন তাহলে একটা রক্তবিপুর অনিবার্যি। বেবানে জনসম্বন্ধ আপনারের নাই, দেখানে বন্ধি জ্বোর এই বিবা অনুসারের কাল করতে চান রক্তবিপুর হবেই—এবং আনুরাই করে সেটা।

Mr. SPEAKER: Order, order. I wish to point out to the House that in the third reading it is very much restricted than at a previous stage. As a matter of fact, what is being said is absolutely irrelevant. I wish to point out two passages from May simply for the guidance of the honourable members of the House because I feel that it is very difficult to control

the members while they are in the midst of their speeches. The procedure in the third reading of a Bill is similar to that prescribed in relation to the second reading, but the debate is more restricted at the later stage and it is limited to the matters contained in the Bill.

Now, the other passage which I wish to point out is this: the debate at the last stage of a Bill should be confined to the Bill and should not be extended to criticisms of the administration. I will request the honourable members to observe this rule, for without their co-operation. I cannot put a brake on the members' speeches at every moment in the course of such speeches.

Dr, SURESH CHANDRA BANERJI: বাননীয় শীকার মহোদয়, এই বিলের বিক্তম্বে তন দিন ধরে এ পক্ষ থেকে অনেক কথা বলা হয়েছে। স্পুতরাং বলবার আর বেণী কিছু নাই। একটা কথা বাত্র বাকি আছে। তাই আমি বলব। (The Hon'ble Nihabendu Dutt-Mazumdar: বাকি কথাটা কতটুক ?) এগব side remarksএর জবাব না দিয়ে আমি বলছি—Dr. Roy first reading of the Billএর সমুয় বলতে উঠে বলেছিলেন—"আমি জ্যোতি বস্থকে বুয়তে পারি, কেনন। কে আগাগোড়া এই বিলের পুতিবাদ করেছে,—there is a consistency in him." কিছ তিনি আমাদের বুয়তে পারেন না কেন পারেন না—কারণ, আমরা আগে এই বিলের পক্ষে বলেছিলাব, আর এখন এই বিলের বিক্তম্ব বলছি, স্থতরাং তিনি আমাদের পার উপেকার চক্ষেই দেখেছেন।

এখন কথাটা হচেছ এই যে consistencyই জীবনের স্বচেরে বড় কথা নয়। সব চেয়ে বড় কথা হচেছ timeএর সঙ্গে এগিয়ে চলা। কবি Tennyson একটা বড় কথা বলেছেন—The old order changeth, yielding place to new, and God fulfils Himself in many ways lest one good custom should corrupt the world.

আজ যে কাজে সমাজের মঙ্গল হয়, কাল ভাতে সমাজের অমকল হতে পারে। এব দুটান্ত মহার। গান্ধীর জীবনে দেখেছি। (A voice: তাঁকে আবার টানেন কেন গ) একটা দুষ্টান্ত আমি দেব। ১৯১৪ সালে পুখর যুদ্ধের সময় তিনি ব্রিটেশ গভর্ণমেপ্টেকে সাহায্য করতে বলেছিলেন অর্থ দিয়ে এবং লোক সংগ্রহ করে। কারণ তখন তিনি বিশাস করতেন, ব্রিটিশ গভর্ণনেপ্টের সাহায্যে ভারতবর্ম স্বাধীন হবে। কিন্তু হিতীয় বিশু ধুছের সময় তিনি বললেন— $\mathbf{N}_0$ , no man, no money. আমরা এই গভর্ণমেণ্টকে এক পয়সাও দেব না, একটা সৈন্য দিয়ে ও সাহায্য করব না। কারণ এই গভর্ণমেণ্ট শরতান। একে সাহায্য করা আমাদের পক্ষে অন্যার এবং এই গভর্ণবেণ্ট কথনও আমাদের স্বাধীনতা দেবে না। আমরা পূর্বে যথন এই বিল সমর্থন করেছিলাম, তথন সবেমাত্র আমর। স্বাধীন হয়েছি। স্বাধীনতার মানে---গ্রিটিশের কবল থেকে সবেমাত্র আমর। মৃক্তি পেয়েছি। যথন আমরা পরাধীন ছিলাম, আমরা তখন ৰচবার বলেছি, মহাদা গাঙ্কিও ৰলেছেন—বে গ্রিটিশের শাসন থেকে মুক্তিলাভ হলেই আমাদের সব কিছু লাভ হবে না। স্বাধীন ভারতে ভাষাদের বছরাত্ব্য প্রতিষ্ঠা করতে হবে--শ্রেণীহীন গণতার, Classless Democracy, কৃষক-প্রভা-বজপুর बाक প্রতিষ্ঠা করতে হবে এবং একন্য আমাদের সাম্পুদারিকতা পুর করতে হবে, blackmarketing पुत्र कतरा घरन, पूर्वीिक पुत्र कतरा घरन, अधिगाती-भुषा लाभ कतरा घरन এवः वरु वरु निल्भ ता<u>ह</u>ाताच क्तरु हर्द । कुछताः वर्षन चामता वाशीन हलाम--- छथन दैः रतम चामारमत राम थरक हरन शिरतरह **কটে কিছ আয়াদের সম্বৰে বে একটা ৰড়আদৰ্শ ছিল—ক্ষক-পূলা-মল্পর রাজ পুতিষ্ঠা** ত অপুর্ণই ছিল । लाहे चार्क्नक यनि कारण क्रमाविङ कंबरङ इय जस गान्नुगायिकजा, corruption, blackmarketing শাবাদের দূর করতে হবে

Sj. SUSHIL KUMAR BANERJEE: On a point of order, Sir. Is it relevant?

Mr. SPEAKER: Dr. Banerji, will you kindly come to the point?

Dr. SURESH CHANDRA BANERJI: সৰ পূব করার উদ্দেশ্য নিরেই তথন আরক্ষ এই বিল এনেছিলার। এবং পরিকার করে বলেছিলাব, blackmarketing, corruption, communalism দশ্ব করে ভারতবর্ষে শেণীহীন গণতক্ষের পথ পরিকার ক্রান্তে হবে। কিছ আনরা এই বিন পার্ন করেই চলে श्रिकात । जावश्रवहे जना गंखर्गदरके जागन: शहे गंडर्गदरके अल शहे विनर्तात्क अवनकार कार्य गांगीराकन-चांच কলে বারা গাল্পামিবতা প্রচার করছেন, তাদের কিছুবাত্র ক্ষতি হচেছ না। আর বারা সাল্পামিকতার বিরুদ্ধে काम कतरह, जातरे এरे विरामत चाওजात शरुरह । वाता blackmarketing कतरह, जारमत किंहू सराव्ह ना किन्द बाबा blackmarketing वद कववात जना (हुटी कहाइ). छाबादे और विस्तृत निकाब बनाइ। याता व्यविगाती-श्रथा यक्ष कतराठ (क्रष्टा कतराठ, ना---ठारमत किङ् शरक्ष ना । किन्ह बाता अटे श्रुपा रह ক্ষুবার জন্য পানে পানে ঘরে কিমাণ সংগঠন করতে লেগেছে তারাই এই বিলের আওতার পড়ছে ৰারা অতি লাভ করে করে পুঁজিপতি হচেছ—তাদের বিরুদ্ধে এই বিল পুরোগ হচেছ না কিছ বারা শিলপকে बाहोबच करवार खना, शैक्षियास्य स्दर्शन खना गुनिक गरंगठेन कराइ, छाबाँट এই दिस्तर मीसाब स्टाइक ह चुरुत्राः त्य बरु९ উत्क्रमा नित्र এই विनर्ते। भुभग्नन कत्रा श्रतिकृत, এই विनर्ते। त्यरे উत्क्रमा भागत्नवरे चन्नाय হবে দাঁড়িয়েছে। এক সময় মহাদা গাঙ্কী তেৰেছিলেন—ব্ৰিটিশ গভৰ্পৰেপ্টেকে সাহায্য করে দাধীনত। পাৰেন এবং সেইজন্য তাদের সাহাব্য করেছিলেন কিছ যে যুহুঠে বুঝলেন খ্রিটণ গভর্ণৰেণ্টকে সাহাব্য क्रमान क्रिकेट दर्स ना. छथन एथरक अगररयार्ग जात्रपुष्ठ क्रतालन । एउमनि जामता यथनटे स्थाएक लागलाम যে এই বিলের খারা কিছু হবে না, তখন থেকেই এর প্রতিবাদ করছি। আমরা তখন যে platformএ দাভিয়ে, বে partvৰ পক্ষ থেকে এই বিল জনমোদন করেছিলাম, সেই partv পর্যান্ত ত্যাগ বরেছি। বে partyce राया करबिक्रनाम, रा partyce छा। कबनाम रकन-अकी। जापर्रनंत क्षमा । यछिमन मरन করেছি, সেই party হারা সেই আদর্শ লাভ হবে ততদিন সেই partyর সেবা করেছি কিন্তু যখনই ৰুমালাম সেই partys সেৰা ছাৱা দেশের জ্বনগণের কিছুই লাভ হবে না। তথনই সেই party ত্যাগ করেছি। যখন দেখলাম এই বিলটা আমাদের আদর্শের অনকল নহে তখনই আমরা এটাকে বিষের মত ছুড়ে ফেরালাম। দু:বের বিষয় গভর্ণ মেণ্ট জ্বামাদের কথা কোথায়ও শুনছেন না। বিলটা প্রভ্যাহার করতে वननाम--- छा छनलन ना। এपनि कि Advisory Board गर्ठन मध्दक्क रय नाग्रयक्रक कथा वरलि । ডাও পর্যন্ত গভর্ণদেণ্ট শোনেন নি। কেবল একটা বাজে সংশোধন প্রস্তাব গ্রহণ করছেন। কিছ যেসৰ সংশোধনী প্ৰভাৱ vital, তাৰ একটাও গছণ কৰেন নি। স্বামাদের স্বতি ন্যাৱসঞ্চ কথাও যখন পভর্ণবেণ্ট পোনেন না, তখন এই বিলের প্রতিবাদ করা ছাড়া স্বামাদের গত্যন্তর নাই।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, my friend Dr. Ghosh is not here. I wish he were. He started by saying "yes, I did introduce and get the Security Bill passed, but it was only for two years. I did not mean it to go on for ever". Probably he has not taken the trouble to see the present Act which lasts for three years starting from January, 1950—one and half years are gone and its prevalence would be for another one and half years.

The next point that my friends on the opposite side tried to make out is that when they supported the Bill, they supported the original, because they thought that it would be used only for communalists and blackmarketers and for stopping corruption. Apart from the fact that a very large number of people have been arrested in different parts of the town and other parts of Bengal under this Act—people who had been blackmarketing, I can tell you, Sir, that almost the first case that was brought before me after I had taken over charge of the Ministry on the 23rd of January, 1948, was the case of the arrest and detention of Srijut Soumendra Nath Tagore. He and 24 others were arrested. Did they belong to any communal organisation? Were they doing blackmarketing? Why were they arrested? The wife of Sj. Soumendra Nath Tagore came to me and told me that her husband had been whisked away without giving her an opportunity to provide clothes for her husband, and she did not know where her husband was. On the 27th January, three days after I heard this story, we released Sj. Soumendra Nath Tagore and the whole lot. Therefore it is no use pleading to us and trying to hoodwink the people "that we have introduced the Act for the purpose of stopping communalism

and corruption". If the Government, found that it was necessary to take certain steps, they had taken certain steps. It is no good hiding one's head like an ostrich in the sand and saying "we did not mean this, but we have done this".

Sir, he has quoted one other thing which, I think, needs reply, because it was with reference to this Act. He said that during the by-election in Howrah when Dr. Ahmed was one of the candidates, some persons were arrested on the day previous to the polling. I did not have the desire to refer to it, but since it has been referred to, I feel it necessary for me to tell the House that at four o'clock in the evening previous to the election, an Urdu pamphlet was circulated in that area. Sir, everybody would realise what that area was during the disturbances in 1950. And what did the leaflet say? It said "you know that the Hooghly-Howrah Muslim Constituency shall be casting the votes tomorrow to elect a Muslim member. Have you forgotten the pamphlet said "that the Muslim blood was split—""

Janab SYED BADRUDDUJA: Sir, I rise on a point of order. This pamphlet is concocted by certain interested party. This is dealt with by the Court. How could he refer to such things at this late stage?

Mr. SPEAKER: That is no point of order.

Janab SYED BADRUDDUJA: Sir, it is a reflection on me. When we were arrested, we were arrested on a false charge (Uproar).

Mr. SPEAKER: Order, order. The House cannot go on in this way. When I am on my legs, every member must sit down. I cannot allow this state of things to go on. The House must observe the rule that when the Chair is on its legs, everybody must sit down.

Janab SYED BADRUDDUJA: On a point of personal explanation, Sir.

- Mr. SPEAKER: If you are on a question of personal explanation, 1 would give you an opportunity after the speech is over and not during the speech. Order please.
- 8j. BIMAL COMAR CHOSE: On a point of order, Sir. Rule 12 of the Assembly Procedure Rules says "when, for the purpose of explanation during discussion or for any other sufficient reason connected with the matter then under consideration of the Assembly, any member has occasion to ask a question of another member, he shall ask the question through the Speaker". So, Sir, there is nothing wrong for a member of the House to ask a question through you. So, Sir, interruption is permitted and interruption in this specific case is that something was said which was not true—
- Mr. SPEAKER: Order, order. Mr. Ghose, will you take your seat? The position is this: Mr. Badrudduja stood on a point of order and not in a point of information. If you say "I rise on a point of order", that is the only occasion when interruption is permitted; otherwise on any other point unless and until the speaker yields, nobody has got any right to interrupt. That is the rule of procedure.
- 8]. JYOTI BASU: On a point of order, Sir. You will remember that when in this Assembly I was quoting from the manifesto of the Communist Party of India, you stopped me and said "you need not quote from that" and I obeyed the Chair. The point of order is whether the Chief Minister is entitled to read out a long pamphlet before us which the Court has already

dealt with. The gentlemen were distinarged. Is he entitled to read such a pamphlet in view of the previous decision of the Chair when I was reading out from the Communist manifesto?

Mr. SPEAKEK. Firstly, I beg to be excused if, quoting May's authority, I say that 80 per cent. of the speeches are irrelevant. How can I check the speakers at every moment of their speech, if 80 per cent. of the speeches are like this. It has become very very difficult for me—for any Speaker—to control the House. That is my difficulty. Now a reference has been made to the election at Burdwan and certain accusations have been made that certain persons were arrested. Now after that statement has been made on the floor of the House how is it possible for me to ask the Chief Minister not to give an explanation? That is my difficulty.

Janab SYED BADRUDDUJA: On a point of information, Sir.

Mr. SPEAKER: Order, order. If you have got anything to be said on a point of information, I will give you an opportunity later on. Let the Leader of the House finish his speech. Another matter to which I wish to draw your attention is this that it has always been the practice that the Leader of the House has always been given as much patient hearing as possible.

Janab SYED BADRUDDUJA: Even if he casts reflection?

Mr. SPEAKER: Order, order.

- 8]. JYOTI BASU: Mr. Speaker, Sir, you did not answer my second point which I raised, namely, that the pamphlet has already been discussed by a Magistrate and disposed of. Can that pamphlet be read here in this House?
- Mr. SPEAKER: The matter is no longer sub judice. Therefore I cannot debar its being read out if the speaker thinks it relevant to say something about it, but at the same time I will request the speaker that instead of reading the whole of the pamphlet only such relevant portions should be read as are absolutely the minimum for the purpose.

Janab SYED BADURUDDUJA: Sir, it is all fabricated.

- Mr. SPEAKER: Order, order. At the end of his speech you can refer to that as you like.
- 8j. DEBENDRA NATH SEN: On a point of order, Sir. The court has given verdict on a particular document that it was not written by a particular gentleman belonging to this Assembly.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I have not mentioned any names.

- SJ. DEBENDRA NATH SEN: Sir, can that document now be used as an allegation or as a charge against that particular person?
- Mr. SPEAKER: Order please. The position is this. He has not yet read the whole of the pamphlet. He has read only a portion of it but even if the case is disposed of that does not prevent the member speaking from alluding to that particular pamphlet and on a point of personal explanation you are entitled to say that this pamphlet had no eventual value because it was disregarded by the court. One word should be enough to explain this.

The Honble Dr. BIDHAN CHANDRA ROY: I have not mentioned any name. I only wanted to prove that events may occur or situations may

arise when it may be incumbent on the Government to take preventive measures in order to stop troubles and disturbances. In the case I was referring to, the gentlemen against whom the measures were taken were exonerated in court but I am only trying to place before the House that if any person got a pamphlet of this character in his hand then it was impossible for the..... (interruptions from the Opposition Benches). It may be fabricated, it may be concocted, it may be anything but I am only placing before the House what the pamphlet said. "Muslims of Hooghly and Howrah, kill or be killed. This is your last chance to start a general massacre against the murder of your wives, brothers, sisters, mothers and children". I simply want to say this that if I see such a pamphlet it is my duty as head of the administration to see that no disturbances recur in that very troubled area of Howrah. (Hear Hear, from the Government Benches). At that time I had no means of judging whether it was genuine or false but it was necessary to take preventive measures and these preventive measures had to be taken under the Security Act. That is all I wanted to say.

Sir, the fourth point that was made by Dr. Ghosh was this that if there was a conflict between loyalty to the people and loyalty to the State then it was open to the people to be disloyal to the State. I hope and trust. Sir, that he as the leader of a party and an old associate of the Congress will not take this proposition seriously. Apparently he does not realise, if I may humbly say so, what it means. A modern State is run by the elected representatives of the people elected on adult franchise, and out of whom some are entrusted with the responsibility of running the government. Therefore if the Legislature at a particular moment chooses to pass an Act which may be not according to the desire or wishes of a particular group of the Legislature it is not open to them to say, "We will subvert the State and bring about a bloody revolution if you go on passing this Bill". The speeches that I have heard to-day in this Chamber are themselves proof and are sufficient reasons for the enactment of an Act of this type. I am a medical practitioner and I believe in the cure of disceases but I believe more in prevention of diseases. Instead of allowing a person to commit an offence and to be convicted for the same I do believe that I should prevent the gentleman like my friend Mr. Haripada Chatterjee when he threatens "bloody revolution" to see that he does not do so, that he does not disturb the peace of the realm and that he does allow others to carry on their work in the most orderly and peaceful fashion. My friend Sri Jyoti Basu has again referred to the statement that I made. I do not want to go into that matter but I only say this much that this was the statement made by the Governor of Canton Province between October 1950 and August 1951. It was published by the Chinese Communist authorities. Sir, he has taunted me by saying that I know nothing. I do plead guilty to the charge. I am ignorant of the great communist doctrine which he preaches and he marvels at but let me tell him that I did not concoct this. If he has not read this in the newspapers I only have pity for him. He should read what concerns the great China about which he says so much. There is one other point and I have finished.

My friend Mr. Badrudduja referred to a case in his speech at which time I am sorry to say I was not present in the House otherwise I would have drawn your attention to it that it is a sub-judice case. He referred to the arrest of a particular editor of a paper but that arrest was not under the Security Act. He is being tried in an open court. His citing this case might have led to some confusion that it had anything to do with the Security Act but that is not the case and so reference to this case is not relevant to the Bill that is before us.

Sir, finally I want to say one thing and I shall finish. My friends opposite have raised a huge dilemma and have spoken in a manner as if the whole country would be in danger during the political elections. I can assure them that so long as we are here there will be no pogrom or any movement of that type against any particular party. They have said so often about the party. My friend Mr. Jyoti Basu of all persons ought to know that the section of the Indian Criminal Law (Amendment) Act under which some parties were declared illegal has been declared ultra vires of the Constitution by the High Court and since then all the parties that were declared illegal at one time are not illegal at the present moment. Therefore that question is neither here nor there. This particular Act is not against a group or against a party but against every individual who disturbs the peace of the realm, who disturbs the peace of the realm, who disturbs the peace of the State, who brings any disorder or anarchy, who is trying to destroy the morality and decency of public life, who attempts to commit any such offence in order that he may revel in the dirt and confusion that may follow after such offence.

With these words, Sir, I move that the Bill as settled in the Assembly be passed.

Janab SYED BADRUDDUJA: On a point of personal explanation, Sir. I am afraid you misunderstood me unfounded, uncalled for aspersions on me. I never referred to any document myself nor did I refer to the activities of the Government in that connection. So I never expected that the Hon'ble the Chief Minister would come down so low as to connect me with that document—

The Hon'ble NIHARENDU DUTT-MAZUMDAR: I rise on a Point of Order Sir,----

Mr. SPEAKER: Before I dispose of the Point of Order I wish to point out what are the rules for personal explanations. Rule 15 of our Assembly Procedure Rules says, "A member may with the permission of the Speaker make a personal explanation at any time but in doing so no debatable matter may be brought forward and no debate can arise". Therefore I do implore the members of the House that they should observe the Rules which this House itself has framed and whenever an opportunity is given for any gentleman to give a personal explanation he should not convert that opportunity to deliver a speech on the subject. That is the Rule which ought to be observed and I may implore all sections of the House to assist me by observing the Rules of this House themselves instead of my having to pull them up every moment.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I am thankful to you for reading out that rule on personal explanation, and that is a matter which I was going to point out to you. The question of personal explanation arises only when a personal reference has been made in the course of a speech. With reference to this rule, I do not think the honourable member has referred to anything specific said about him personally in the course of the speech of the Hon'ble Chief Minister which warrants the personal explanation. Therefore, the question of personal explanation does not arise at all.

Mr. SPEAKER: Mr. Badrudduja, has any reference been made to you whether expressly or otherwise?

Janeb SYED BADRUDDUJA: It was made by insinuation.

Mr. SPEAKER: Even then I allow you, but do not use any debatable matters.

Janab SYED BADRUDDUJA: STr., the Hon'ble Chief Minister referred to me-

The Hon'ble Dr. BIDHAN CHANDRA ROY: I did not, I repudiate that. I do protest because I did never refer to him.

Mr. SPEAKER: The Hon'ble Chief Minister is denying it.

Janab SYED BADRUDDUJA: Sir, I have not finished it as yet. Please allow me to speak.

Mr. SPEAKER: The question is whether a question for personal explanation has arisen. Unless and until a reference is made to a particular member of the House either directly or by insinuation, or a clurge is made with reference to that particular member in the course of a speech, I do not understand how the question of personal explanation arises. Therefore, if the Chief Minister denies this fact, I do not see how you can offer a personal explanation.

Janab SYED BADRUDDUJA: Sir, I have not completed my sentence before you intervened. I never said, the Hon'ble Chief Minister referred to me personally. What I wanted to submit is that the Hon'ble Chief Minister referred to a document in connection with the names of certain persons, a document which was responsible for the arrest of many persons including myself, and I submit that the Hon'ble Chief Minister referred to a document in connection with many prominent men including myself who were arrested, and that document was a fabrication and a concection.

Mr. SPEAKER: Order, order. To my mind after I have heard the member it appears that a point of personal explanation arises even when no particular reference to that member has been made. So I should allow him to offer his personal explanation. The reference may not have been expressly made but the gentleman was arrested as a result of this document. But I request Mr. Badrudduja, why could not he submit in one or two sentences the point of his personal explanation

Janab SYED BADRUDDUJA: The document is a fabrication and I must explain that.

Mr. SPEAKER: I am very sorry you cannot do that. I have stretched the point in your favour. The Chief Minister says that he did not refer to you. As a matter of fact I did not hear your name mentioned and I myself do not know that there is any connection between the document and yourself. Therefore as a matter of fact the mention of your name not having been made, you can realise how I can attribute all that to you. Now because I find from your statement that it is a serious matter and you were arrested on the ground of this document I am allowing you to say that you were arrested and I think that should have been enough explanation.

Janab SYED BADRUDDUJA: May I have your permission to say a few words? A reference was made to a document. It was an insinuation and an aspersion on me when a reference was made to that document, and it has sought to mislead the House and the public outside.....(Loud noise from Government benches).

Dr. SURESH CHANDRA BANERJI: On a point of information. Chief Minister যে document; পড়লেন, আনি জানতে চাই সেই document কার নামে প্ৰকাশ হয়েছিল!

Mr. SPEAKER: We must not circumvent the rules. If a member rises to speak in spite of the protests of the Speaker and goes on speaking, the only thing I have to say is to expunge the whole proceedings relating to that—

(Loud noise from both sides of the House).

Allow me to carry on the business of the House.

Dr. SURESH CHANDRA BANERJI: Sir, আনার পুশের উত্তর কি হল ? আমি জানতে চাই পুধান মন্ত্রীনহাপন, যে documentটা পড়ছিলেন সেই documentএর প্রকাশক কে ৽

The Hon'ble PRAFULLA CHANDRA SEN: আপনাদেব অ'ত পুণুের উত্তব দেবার সময় আমাদের নাই ৷

The Hon'ble Dr. BIDHAN CHANDRA ROY: I refuse to answer.

Mr. SPEAKER: It is all an extraneous matter that is now under discussion and it cannot form part of our proceedings.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Security (Amendment) Bill, 1951, as settled in the Assembly, be passed was then put and a division taken with the following result:—

#### **AYE8-48**

Abduilah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Bhattacharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das Gupta, Sj. Khagendra Nath
Doiul, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mailiok, Sj. Ashutosh

Mandal, Sj. Annadaprasad
Mandal, Sj. Bankubehari
Mandal, Sj. Krishna Prasad
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan.
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab
Naskar, Sj. Ardhendu Sekhar
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pentony, Mr. L. R.
Platel, Mr. R. E.
Poddar, Sj. Anandilal
Pramanik, Sj. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarker, Sj. Birendra Nath.
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Serajuddin Ahammad, Janab.
Shamsul Hug, Janab
Sinha, The Hon'ble Bimal Chandra

## Noes-14.

Abdul Aziz Ansari, Janab Mohamed Badrudduja, Janab Syed. Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Chose, Sj. Bimai Comar Ghose, Dr. P. C. Sen, Sj. Decendra Nath

The Aves being 48 and the Noes 14, the motion was carried.

#### Adjournment.

The House was then adjourned at 7-20 p.m. till 3-30 p.m. on Thursday, the 27th September, 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legistative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 27th September, 1951, at 3-30 p.m.

#### Present.

Mr. Speaker (the Hon'ble Iswan Das Jalan) in the Chair, 11 Hon'ble Ministers and 60 members.

#### STARRED OUESTIONS

(to which oral answers were given)

### Alleged seizure of cloth in the godown of Messrs. Kesoram Cotton Mills

- \*22. 8j. DEBENDRA NATH SEN: (a) Will the Hon'ble Minister in charge of the Home Department be pleased to state—
  - (i) whether it is a fact that the Deputy Commissioner, Enforcement Branch, had seized a considerable stock of cloth in the godown of the Kesoram Cotton Mills; and
  - (ii) if so, what was the ground for such seizure?
- (b) If the answer to (a)(i) be in the affirmative, will the Government be pleased to state the total quantity of cloth thus seized; and what further steps have been taken by the Government in this connection?

# MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy: (a) No.

- (b) Does not arise.
- Sj. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether it is a fact that the Deputy Commissioner, Enforcement Branch, went to the godown of the Kesoram Cotton Mills and detected a considerable stock of cloth destined for black marketing and was about to seize when orders from higher authorities came and prevented him from taking that step?
- Mr. SPEAKER: Mr. Sen, you cannot put that question in that shape—destined for black marketing. How do you know that? Leave that portion.
- The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, my friend as usual, is beyond the mark. What has happened is this: that 106 pairs of nilam sarees and four pairs of than dhoties, both manufactured by Kesoram Cotton Mills were seized by the Deputy Commissioner, Enforcement Branch, between 6th June, 1951 and 3rd July, 1951, from various retail dealers' shops in this city. The cloth was seized because the prices stamped on each pair in February, 1951 have been defaced and re-stamped with the April, 1951 price which was higher by Rs. 5 per pair for nilam sarees and Rs. 3-8-0 per pair of than dhoties. As I have already stated 106 pairs of nilam sarces and four pairs of than dhoties were seized not from the Kesoram Cotton Mills, but from various retail dealers who were selling the cloth manufactured by Kesoram Cotton Mills.

8j. DEBENDRA NATH SEN: In view of the reply just now given that various retail shops were found defacing the old price and introducing new and higher price, will the Hon'ble Minister be pleased to state what steps Government have taken against them?

The Hon'ble Dr. BIDHAN CHANDRA ROY: The matter is under consideration and steps will be taken against them.

8], DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether this defacement was made by the Kesoram Cotton Mills or by the retail dealers?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am perfectly sure that the original mark was made by the Kesoram Cotton Mills and defacing was made by the retail shops. I cannot give you any more details, because the matter is under enquiry.

8j. ANNADA PROSAD CHOUDHURY: মাননীয় মন্ত্রীনহাণয় বল্বেন কি যে, 'এই কাপড় ৰখন revaluation করা হয়, তখন কাপড় মিল খেকে বেবিয়ে আসবার সময় এই সব whole salerদের againstd cheque payment করা হয়েছিল কি নাং এটা একটু খোজ কবে দেখবেন কিং

The Hon'ble Dr. BIDHAN CHANDRA ROY: I will make an enquiry.

8j. ANNADA PROSAD CHOUDHURY: মাননীয় মন্ত্রীমহাশয় বলবেন কি যে, এই সম্বন্ধে ৩-৪ মাস আগে তার দৃষ্টি আকর্ষণ করা হয়েছিল, তার ফলাফল জানতে কত দেবী হবে দ

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot give you any answer.

# \_ Exodus of Hindus from East Bengal since the 1st June, 1951

- \*23. 8j. BIMAL COMAR GHOSE: Will the Hon'ble Minister in charge of the Refugee Rehabilitation Department be pleased to state—
  - (a) the number of Hindu refugees who came from East Bengal since the 1st June, 1951;
  - (b) the causes of the recent exodus of Hindus from East Bengal; and
  - (c) the measures, if any, that Government have adopted for rehabilitating the fresh influx of refugees from East Bengal and the number that has already been rehabilitated?

The Hon'ble Dr. BIDHAN CHANDRA ROY: (a) The number of Hindu refugees that have come from East Bengal during 1st June to 7th September, 1951, is 73,655.

- (b) The causes of exodus are as follows. They are not exhaustive, but they are illustrative:—
  - (i) Lack of economic possibilities for Hindus in East Pakistan.
  - (ii) Lack of protection for Hindus against thieves and dacoits. Police take little interest in the investigation of offences against life
     and property.
  - (iii) Insecurity of Hindu women in Pakistan.
- (c) Such of them as depend on Government help for shelter are being admitted to camps. Sites for rehabilitation are being acquired either under the Land Development Planning Act or by negotiations and where possible

camps are being opened at the sites of rehabilitation. It is not possible to say how many of the refugees who came during this period have been already rehabilitated but during this period 6,999 families or 34,995 persons have been rehabilitated.

**8j. BIMAL COMAR CHOSE:** With reference to answer (b) will the Hon'ble Chief Minister be pleased to state if there has been any violation of the Delhi Agreement by Pakistan?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is a matter of opinion.

8j. BIMAL COMAR CHOSE: In view of the causes for exodus referred to in (b) will the Hon'ble Minister be pleased to state as to whether he thinks that there is going to be more exodus from that State and, as at arrangements he has been making for rehabilitating those people?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, as regards the first part, I do not know what he wants me to answer. That is a matter of opinion. As regards the second part, I have already indicated that lands are being acquired for rehabilitation purposes and grants also have been given for temporary relief.

Sj. DEBENDRA NATH SEN: In view of the large exodus from Eastern Pakistan will the Hon'ble Minister be pleased to state what steps have been taken by the West Bengal Government to stop that exodus?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not know what answer he wants me to give. We have referred the matter to the Government of India. We cannot deal with Pakistan directly. We have presented the causes that have led to the exodus to the Government of India.

8J. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state if during recent meetings between the Chief Secretary to the West Bengal Government and the Chief Secretary to the East Bengal Government this matter was discussed and whether any agreement was reached as to the steps to be taken?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Discussion took place. Sweet agreements were entered into but there the matter ends. Things are represented to the Central Minister, Hon'ble Charu Chandra Biswas and to the Ministry of External Affairs.

8j. DEBENDRA NATH SEN: In view of the fact that the matter has been referred to the Central Government, will the Hon'ble Minister be pleased to state whether he has received any reply from the Central Government as to the steps contemplated by them or taken by them?

The Hon'ble Dr. BIDHAN CHANDRA ROY: They have told us nothing about the steps they have taken, but I believe that they have approached the Government of East Pakistan to remedy the condition.

**8j. JYOTI BASU:** With reference to answer (b)(ii) will the Hon'ble Minister be pleased to state whether it is true that the Hindus are the main target of thieves and dacoits in Pakistan?

The Honble Dr. BIDHAN CHANDRA ROY: I have no statistics to be given.

8j. JYOTI BASU: Will the Hon'ble Minister be pleased to state in view of the answer given just now as to how did he find out the reasons for exodus of the Hindus—through what investigation?

The Hon'ble Dr. BIDHAN CHANDRA ROY: From the statements of the refugees as well as from the reports from our officer—the Deputy High Commissioner there.

8], BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state how many sweet agreements still want to be entered into with the other Government?

Mr. SPEAKER: That question does not arise.

The Hon'ble Dr. BIDHAN CHANDRA ROY: May I ask the honourable member to refer to the Central Government?

8j. HEMANTA KUMAR BASU: নাননীয় ষত্তীবহাপর বন্ধেন কি বে, এই exodusএর একটা কাবণ হচেছ, insecurity of women in Pakistan, তিনি জানেন কি বে, যাদের বাবা, মা পাকিস্থানে আছে অবচ বেয়েরা এখানে আছে, তাদের কোন relief পেওয়ার ব্যবস্থা করা হয়েছে কি নাং

The Hon'ble Dr. BIDHAN CHANDRA ROY: We are doing as far as possible.

8j. HEMANTA KUMAR BASU: সম্পুতি একটা circular পেওয়া হয়েছে যে, আনন্দ আশুনে, যার বাবা, বা পাকিস্থানে আছে অংচ তাদের নেয়েদের আব এখন সেখানে রাখা হবেনা, Governmentas chargea রাখা হবে সেটা আপনি জানেন কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I'do not know. It is an arrangement between the Anandasram and the Central Government.

8j. HEMANTA KUMAR BASU : কাননীয় নহীবহাপয় পয়া কবে জানাবেন কি যে, তাপের কি কোন কাবলা করা সম্ভব হবে ?

(No. reply.)

Mr. SPEAKER: Questions over.

- 8j. BIMAL COMAR CHOSE: On a point of order, Sir. If a member rises to put a supplementary question, won't he be allowed to put it?
- Mr. SPEAKER: It is the discretion of the Speaker as to how many supplementary questions should be asked on a particular question.
- Sj. BIMAL COMAR CHOSE: Are you satisfied and is it your opinion that sufficient number of supplementaries have been asked on this question?

Mr. SPEAKER: Yes.

#### Short-nitoce questions-Enquiry regarding.

8]. HEMANTA KUMAR BASU: Sir, I submitted two short-notice questions on food situation in Sunderbans and also on distribution of relief to the Ministers in charge of Food and Relief on the 19th September and today is the 27th September. So how long they will take to answer my questions?

Mr. SPEAKER: I will look into the matter.

# Supplementary Estimates for 1851-52.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with your permission I beg to present the Supplementary Estimate for 1951-52 on behalf of the Hon'ble Nalini Ranjan Sarker. Sir, I beg to present before the House a statement of Supplementary Estimates of expenditure for the year 1951-52 under the provision of Article 205 of the Constitution of India.

The total amount covered by the present Supplementary Estimates is Rs. 36,67,001 only.

The largest demand is under head "Loans and Advances Bearing Interest". It includes—

(a) Rupees 4,80,000 required to augment the grant to the extent necessary for payment of a ways and means loan of Rs. 5 lakhs to Darjeeling Municipality for meeting the expenses of repairs of damages to municipal properties caused by the landslips in June, 1950: and (b) Rs. 2,70,000 required for repayment into the Contingency Fund of West Bengal of the advances obtained from that fund for payment of loans to the new management of the Barasat-Basirhat Light Railway Company, Limited, and to the Bengal Provincial Railway Company, Limited, for rehabilitation of the said Railways. In this connexion the House will recall that the Contingency Fund of West Bengal was constituted by an Act of this Legislature passed in 1950 and a sum of Rs. 50 lakhs was paid to this fund out of the Consolidated Fund of West Bengal.

According to the provisions of that Act, this fund has been placed at the disposal of the Governor of West Bengal to enable him to make advonces out of the fund for purposes of meeting unforeseen expenditure pending re-imbursement within the year after authorisation of such expenditure by this House.

The next largest demand is under the head "57-Miscellaneous—Miscellaneous". It includes—

- (a) Rupees 5½ lakhs for local production and purchase of fire appliances and essential equipments for fire services;
- (b) Rupees 3 lakhs for increased expenditure on account of relief and rehabilitation of the victims of the last communal disturbances, 75 per cent. of this expenditure being recoverable from the Government of India; and
- (c) Rupees 2 lakhs required to meet expenses in connection with the Administration of the West Bengal Evacuee Property Act, 1951, for which no provision could be made in the budget estimate.

Ine demand under head "56—Stationery and Printing" includes Rs. 6,86,000 on account of new machineries to be purchased for reorganisation of the different presses under the control of this Government according to the recommendations of the Advisory Committee which was set up for the purpose.

The estimates include a demand for Rs. 6,79,000 for payment of liabilities in respect of the preceding year which for the various reasons stated in the explanatory memorandum could not be paid during the last year although such amounts had been authorised by the House last year. This sum of Rs. 6,79,000 is made up of Rs. 3,74,000 under "8—State Excise' Duties". Rs. 2,55,000 under "10—Forest" and Rs. 50,000 under "36—Scientific Departments".

Out of Rs. 1,20,000 provided under "27—Administration of Justice", Rs. 70,000 on account of the Sheriff and his establishment does not represent any additional charge. This sum was provided under the charged head in the original Budget, but following the revised classification of charge relating to the Sheriff and his establishment it has to be treated as a voted item of expenditure. Hence there has arisen the necessity for the voting. The corresponding provision under the charged head will be surrendered in due course.

The demands under other heads are comparatively small and call for no special comments. It will be noticed that a token grant of rupee one has been asked for under the head "38—Medical" as the expenditure relates to a new service although the total expenditure involved in this item will be covered by reappropriation from savings under that head.

The reasons for all the demands in the supplementary estimates have been set forth in the Explanatory Memorandum given under each head. The Hon'ble Minister-in-charge of different departments will go into them in further details as each demand is moved.

With these words, Sir, I present the estimates of the supplementary budget for 1951-52.

#### COVERNMENT BILL.

### The Calcutta Municipal Bill, 1951.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with your permission and on behalf of the Hon'ble Jadabendra Nath Panja, I beg to move that the Calcutta Municipal Bill, 1951, as reported by the Select Committee be taken into consideration.

Sir, it will be recalled that this Bill was sent to a Select Committee of 17 members of this House and the Select Committee had a large number of sittings in Calcutta and also some sittings—quite a good number—in Darjeeling. I am happy to say that barring one note of dissent by one member of the Select Committee the rest of the members have signed this report unanimously. We have taken pains to go through every section of the proposed Bill and have also compared the provisions of the present Act in every instance. Most of the members took active part in the discussion of the Select Committee with a view to make the Bill as democratic in character as possible, and wherever there was any difference of opinion things were discussed in great detail until unanimity was reached and I am happy to say that practically in every instance the findings of the Select Committee on every matter have been unanimous, except that my friend Mr. Satish Chandra Chakravarty has sent in a note of dissent. I wish he were present at the meeting and put forward his case that he has mentioned in his note of dissent, I am perfectly sure that the members of the Select Committee would have given his points the same consideration as was given to other points raised by various other members of the Select Committee who took part in the discussion.

Sir, the main point that we discussed in the Select Committee centred round the important changes that have been made in the Bill, namely, the appointment of three authorities in the Corporation—the Corporation, the Standing Committees and the Commissioner. I want to emphasise that you will find that the Select Committee, in order to make the point clear, has used the word 'and' in section 6 so that it would be clear to every one that they are not an independent authority. If you will look at the sections later on, you will find that we have laid down that the Corporation shall be

the sole authority subject to two provisos that in certain cases under the Act or under the rules and regulations and bye-laws the Commissioner has been given certain powers which are more or less final, but practically in every case we have laid down that the Commissioner will act according to the rules framed either with the approval of the Corporation or with the approval of the Standing Committee concerned. In the case of the Standing Committees also the same rule will apply, namely, that in certain cases the Standing Committees have been given powers to consider a matter and give its final decision. But with regard to all these cases again the Standing Committees will have to act under the provisions of the rules framed for the purpose of the activities of the Standing Committees by the Corporation. And practically in every case the findings of the Standing Committee will be subject to confirmation by the Corporation.

With regard to the Commissioner there has been discussion here at the time of the motion for referring the Bill to a Select Committee. The position taken in the Bill was that the Commissioner will be appointed by the Government. The Select Committee felt that the Commissioner can be appointed by the Government after obtaining the recommendation of the Municipal Public Service Commission. We felt also and we desire that the Commissioner at the time of his appointment should not be a big canvasser in order to get his appointment ratified by the Corporation, and for this purpose it has been provided that the Government should appoint him and throughout the period he serves we have tried as far as possible to see that the Corporation authority is not flouted in any manner. Secondly, after the first period of five years is over, the question of renewal comes in and then comes the matter of Corporation's opinion or consultation. What is more important is that the Commissioner may be removed by the Government, and not only that, he shall also be removed by the Government under certain conditions. The conditions have been laid down in the Select Committee's Report to which one amendment has been proposed. However, the details need not be discussed at the present moment. The fact is, the Commissioner should not consider himself to be above the Corporation but should always remember that if he does not behave properly, he has a chance of losing his job even within the period of five years.

Sir, the third change the Select Committee has made is in regard to the appointments in the Corporation. The appointments in the Corporation have been divided into three groups. One group is where there are some statutory appointments provided in the original Bill which have been kept by the Select Committee more or less intact, and these appointments will be made by the Corporation on the recommendation of the Public Service Standing Committee but subject to the approval of the Government. But there is a large number of appointments with a maximum salary of above Rs. 1,500 which will also be made by the Corporation on the recommendation of the Public Service Commission without any necessity of taking the approval of the Government, and the appointments with a salary of between Rs. 1,500 and Rs. 250 will be made by the Corporation on the recommendation of the Municipal Public Service Commission. The Commission, as laid down, consists of one representative of the Government, one representative of the Public Service Commission and one representative of the Corporation. And the way in which the Commission will work will be subject to the rules and regulations as prescribed for the purpose by the Corporation will appoint the officers after getting the recommendation of the Municipal Public Service Commission. The appointments below Rs. 250, let us say, of the driver, the bofler, the cleaner, and so on would be made by the Commissioner subject to such rules and regulations as are made for the purpose by the Municipal Public

Service Commission. We have felt that in that manner it may be possible to eradicate some of the evils which might be existing at the present moment with regard to the appointments in the Corporation.

Sir, I may mention here that in 1939 the Congress party in the Corporation had framed rules for the purpose of recruiting the members of the services, most of them being rules regarding examination for the various posts except, I believe, if I remember exactly, that about 41 posts were removed from this particular category and the rest of the posts were subject to examination. But I understand since 1939 until 1948 no attention was given to these rules and the rules were not observed. We are happy that in future by a statutory provision of this character it would be possible for us to avoid the difficulties that we have met in the past.

Sir, the next point that the Select Committee particularly considered about is with regard to the question of appointment of the Assessing Board who will be doing the assessment for the whole of the town.

The next change the Select Committee has made is with regard to the Schedule, which included Section 595A. It has been proposed in the Select Committee that the Tollygunge Municipality should be immediately taken over as a part of the Calcutta Corporation and that within a year there should be electoral rolls and new election taking place in that area. That has been provided for. The two other things which the Select Committee has made are with regard to the question of paying consolidated rate. If a person pays consolidated rate at a particular time within a particular period, there should be certain rebate allowed to him. This is in pursuance of the custom which prevails in many of the business concerns which are able to realise their dues much more easily because the people are anxious to get the advantage of the rebate and pay their dues in time. The other provision that has been made is the provision for giving certain exemption in the rate in case a particular person is able to put in a source of water-supply in his own house by means of a tube-well. If that is done, he might claim a certain amount of rebate in the consolidated rate, the idea being that in view of the large influx of people into Calcutta and in view of the difficulties of providing sufficient quantity of water, particularly drinking water, for the large number of people in Calcutta and the neighbourhood, it has been felt that some relief may be had if those who are able to do so provide themselves with tube-well water-supply. In that case they will relieve the Corporation water-supply to that extent.

There is one point also which we have raised in the Select Committee—that is, a candidate who has failed to be elected as a Councillor shall not be eligible to become an Alderman during the term of the Corporation for which the election was held. We have with a purpose increased the penalties for different offences against the provisions of the Act because we felt that in many cases people who contravened the provisions of the Act escaped any serious punishment by paying a small fine and then repeating the offence. The rest of the changes that have been made in the Bill by the Select Committee refer to changes with regard to the method of presentation of the original Bill or the language of the original Bill and so on.

Sir, with these words I move that the findings of the Select Committee be considered.

Janab ABDUL AZIZ ANSARI: (In a point of information, Sir. The Hon'ble Chief Minister has referred to a minute of dissent which has been circulated by the office but it does not form part of the report of the Select Committee. I would like to know from you. Sir, whether this is a minute of dissent and could be relied upon as such because so far as I am aware a minute of dissent can only be given when the member has signed the Select Committee report, subject to his minute of dissent.

Mr. SPEAKER: I think it has been circulated.

Janab ABDUL AZIZ ANSARI: Yes, it has been circulated, but my point is that it is not a minute of dissent—it cannot be a minute of dissent—because it does not form part of the Select Committee report.

Mr. SPEAKER: It forms part of the Select Committee report as appended to the same.

Janab ABDUL AZIZ ANSARI: But could it be done because the member has not signed the Select Committee report? He must sign it and reserve to himself the right of submitting a minute of dissent.

Mr. SPEAKER: I think it has been signed.

Janab ABDUL AZIZ ANSARI: The original has not been signed.

Mr. SPEAKER: It has been subsequently signed.

Dr. SURESH CHANDRA BANERJI: Sir, is my amendment—amendment No. 4—out of order?

Mr. SPEAKER: Yes, because by your amendment you seek to refer the Bill to the Select Committee without specifying as to which portions you wish to lay stress upon.

Dr. SURESH CHANDRA BANERJI: It is not necessary.

Mr. SPEAKER: A motion for partial recommittal is normally made with a definite object of improving or adding to the Bill. It is found necessary in order to insert amendments. Actually the Committee has already gone into this Bill and if you wish to suggest amendments on particular matters in particular sections or portions of the Bill, certainly your amendments would be in order. But to refer the whole of the Bill again to the Select Committee would not be in order. Therefore, it is out of order.

**8j. BIMAL COMAR CHOSE:** Sir, I could not follow you. Rule  $60(3)(\nu)$  says that the Bill may be recommitted.

Mr. SPEAKER: On what point are you asking?

8j. BIMAL COMAR CHOSE: With regard to Dr. Banerji's amendment. The rule says that the Bill may be referred to the same Select Committee without any limitation.

Mr. SPEAKER: To which rule are you referring?

8j. BIMAL COMAR CHOSE: Rule 60(3)(ii).

8j. CHARU CHANDRA BHANDARI: It says the Bill be recommitted either without limitation or with respect to particular clauses or amendments only, or with instructions to the Select Committee to make some particular or additional provision in the Bill.

Mr. SPEAKER: I find from May that such motions should not be allowed, but I will go into this matter again. Without giving my final opinion about it about amendment No. 4, discussion will follow.

Dr. SURESH CHANDRA BANERJI: Then may I move my motion?

Mr. SPEAKER: Yes, but with this reservation that if on later consideration I find that it is not in order then I shall disallow it.

Dr. SURESH CHANDRA BANERJI: For the time being it is in order.

Mr. SPEAKER: For the time being I allow it reserving my right to disallow it later.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that the Calcutta Municipal Bill, 1951, be recommitted to the same Select Committee with instructions to submit their report by the 1st November, 1951, and that the quorum of the Select Committee be fixed at as before.

\$ sjukta. BIBHABATI BOSE: মাননীম শীকার মহাশম, কলিকাতা মিউনিসিপ্যাল বিলের বিরোধিতা করিতে উঠিয়া আমি বিনা সংলাচে বলিতে পারি যে, এই যে বিল বর্ত্তমান গভর্পমেণ্ট আনিয়াছেল এই বিলেব বিধান অনুযায়ী কর্পোরেশনের কমিশার অথবা কর্মসচিব প্রাদেশিক গভর্পমেণ্ট কর্তৃক নিযুক্ত হইবেন। বাঙৰিক, এই বিল মাবা কর্পোরেশনের কলি কমতা হবণ করা হইতেছে। এবং কর্পোরেশনকে একটা তর্কসভায় পবিণত করা হইতেছে। বর্ত্তমান রাষ্ট্রভ্রেম মূলসূত্র ও বিধান অপ্রাহ্য করিয়া কর্পোরেশন এবং নির্বাচকমণ্ডলীকে সীমাবদ্ধ করিয়া রাখা হইতেছে। সংক্ষেপে রলিতে পারি যে, যদি এই বিল কার্য্যে পরিণত হয় তবে কলিকান্তা কর্পোনেশন বাস্থবিক পশ্চিমবন্ধ সরকারের একটা বিভাগে পবিণত হবে এবং যে I.C.S. কর্মচারীগণ এতকাল দেশের অপকার ছাঙ়া আর কিছুই করতে পারেন নাই তাহারাই শাসনভাব গ্রহণ কবিবেন। আরু I.C.S. কর্মচারীদেব সম্বদ্ধে আমাদেব কিছু অভিজ্ঞতা হইয়াছে। গত ৪ বংসারের I.C.S. বাজ এটা পরিক্ষারভাবে পুমাণিত করিয়াছে যে, এই সকল লোক তাদের জীবনের অধিকাংশ সময় বিটিশ পুভূদেব সেবায় অতিবাহিত করিয়াছেন; তাদের অনুপ্রক্রতা সহদ্ধে সন্দেহের অবকাশ নাই।

পুতি সভা দেশে এই নীতি গৃহীত হইষাছে যে, পুতিনিধির না দিয়া কৰ বসানো অন্যায়। কলিকাতাৰ নাগৰিকদেৰ সম্পত্তি নুতন কৰিয়া নুল্যনিষ্বাৰণেৰ ব্যাপাৰে পশ্চিনবন্ধ সৰকাৰ এই নীতি লক্ষ্যন কৰিয়াছেন। এখন বিজ্ঞাস্য কলিকাতাৰ নাগৰিকদেৰ স্থানীয় স্বায়ত্তশাখনেৰ অধিকাৰ হইতে বঞ্চিত কৰিয়া পশ্চিমবন্দ সৰকাৰ এই বুবভি-সন্ধিপ্তি ও প্ৰতিক্রিমাণীল পৰিকল্পনা কৰিয়াছেন কেন ?

দেখিতেছি যে, পুগতিবাদী ও সমাজবাদী কলিকাতা বর্তমান পুতিক্রিয়ানীল পশ্চনবফ সবকাবের মনে আতম্ভ সৃষ্ট করিমাছে। ১৯৪৯ সালের জুন মাস হইতে আবন্ধ করিয়া কলিকাতাবাদী বর্তমান শাসনবাবস্থার প্রতি তাঁহাদের জনান্ধা এবং কংগ্রেস দল সম্বন্ধে তাঁহাদের অভিনত ব্যক্ত করিমাছেন। সেইজনাই বর্তমান সবকাব এই শেষ মুহূর্তে পুগতিবাদী কলিকাতাব অগুগতির পথে বাবা সৃষ্টি করিতেছেন। এই লক্ষজাকর পুচেটা আমাকে বর্তমান প্রতিক্রিয়াশীল শাসনের বিকছে সমাজবাদী সংগ্রামের কথা মনে করাইয়া দেয়। বাংলাব সর্বশুঠ সন্থানদেব নাম যে প্রতিটানের সহিত জ্বভিত তাহা নিয়া খেলা করিতে সরকারকে আমি বাবণ করিতেছি। ভাবতবর্ষের মনীঘীদেব যে ঐতিহাসিক কীন্তি, তাহা আজিকাব নগণা ব্যক্তিগণ বিনষ্ট করিবেন, ইহা চলিবেন।

আমি জানি বর্তমান সনকার এই পবিষদে ববাব ট্রাম্প নেজরিটিব (majority) হাবা এই বিল পাস কবাইয়া নিতে পাববেন। অতীতে আমাদেব মহান্ নেতৃবন্দেব নামে, প্রগতিবাদী কলিকাত্বাসীদেব নামে এবং বর্তমান শাসনকর্তাবা যে কংগ্রেসের আদর্শের প্রতি আনুগ্রত্য বোষণা কবেন সেই আদর্শের নামে আমি দাবী করিতেছি সরকার এই বিল প্রত্যাহাব ককন এবং পবিষদ ইহা অগ্রাহ্য করুন।

Dr. P. C. CHOSH: Mr. Speaker, Sir, I cannot congratulate either the Government or the Select Committee on their introducing this Bill before the House, because by this Bill the Calcutta Corporation will be converted into a department of the West Bengal Government—or even worse than that. Of the few very minor improvements that the Select Committee has done, one has been referred to by the Minister-in-charge of the Bill, namely, that the Commissioner will be appointed on the recommendation of the State Public Service Commission by the Government. But may I ask, Sir, why not by the Corporation? The Corporation Councillors will be elected more or less just like the Assembly members. They are to deposit Rs. 250 just as the Assembly members will have to do, and if they do not get 10 per cent. of the votes their security will be forfeited. The only thing is this that there will not be adult franchise. What prevents the Government from giving adult franchise? The Calcutta people, the rate-payers—I am one of

the rate-payers at least in this city—we shall not object to adult franchise. Give them adult franchise and give them the full right, but if you say "No, no. The Calcutta Corporation cannot be given the full right. The Calcutta people will only elect their representatives but we should be given the full right." I will say that Swaraj is a right to mismanage, but they want the monopoly for mismanagement. So, Sir, make the Corporation Councillors real Councillors and not simply ornamental figures.

Now, Sir, there are four classes of officers—first, the Commissioner. It has been said that after the Commissioner is appointed he will be subject to the rules and regulations of the Calcutta Corporation. That is also a thing suggested by the Select Committee. But, Sir, it has been said that he may be removed from office at any time by the State Government. No condition will be written there for 'at any time'. That means that he will have one eye on the Secretariat or the main eye. Therefore, he will have his inspiration from the Secretariat lest he may be removed at any time by the Government. If the Corporation Councillors are to remove him, then two-thirds majority vote will be necessary. But if the Government is to remove him, they can do so at any time. The Commissioner is not even a permanent officer. He will be appointed for five years which may be renewed. If any one wants to be renewed, then he will have to go to the Secretariat, for canvassing which the Chief Minister objects to. He said that he cannot be appointed by the Corporation lest there be canvassing, but there will be canvassing in the Bengal Government also. If you prevent by a rule that any one canvassing will not be appointed, and if the rule is applicable to the Corporation as well as to the Bengal Government, and if the rule can be violated by the Corporation, then the rule can be violated by the Bengal Government also. The majority party which is in power either in the Corporation or in the Government will be canvassed. In spite of the rule sometimes people canvass. Therefore you cannot stop canvassing by merely saying that there will be canvassing in the Corporation. There may be canvassing. Supposing the Ungress Party comes into power there will be canvassing through Congress agencies or Congress parties. Therefore that is no argument for saying why the Calcutta Corporation cannot appoint its own officer. You may say that this Calcutta Corporation was mismanaged in the past. Yes, I do say that it was mismanaged in the past but the Minister-in-charge of the Bill was one of the prime authorities of the Calcutta Corporation under the Congress regime for several years and they cannot experient themselves from their share of the responsibility and there were some 2/3 ex-Mayors also as members of the Select Committee besides other very very old ex-Councillors. They were all collectively responsible for the mismanagement of the Corporation. Now the monopoly of mismanagement of the Corporation is yours because you now form the Government. What is this, I do not understand. Sir, in an unguarded moment the other day the Chief Minister said, "Calcutta is not Bengal". He probably feels sure that in Calcutta they will not have a majority of Councillors on their side and therefore probably this measure has become a necessity to bring the Corporation under the control of the Government.

Now, the Commissioner will be appointed on the recommendation of the State Public Service Commission by the Government and his services can be renewed by the Government and his services may be terminated by the Government at any time. This is a very unenviable position. Not merely that. There is what is called the surveillance or inspection. So many cadres of officers will be appointed on the recommendation of the State Public Service Commission but still the Government will send people to inspect everything; still the suspicion does not go. Why? Because, the Corporation's authority must be crushed and totally crushed. Then there

is the second rank of officers who are to be appointed on the recommendation of the State Public Service Commission-some by Government and some by the Corporation. There is a third rank who will be appointed on the recommendation of the Municipal Public Service Commission. Sir, it is a misnomer to call it the Municipal Public Service Commission. Three members are proposed to be members of that Commission. The municipality will have only one member in the Commission; one member will come from the State Public Service Commission and the third member will be nominated by the Government. So it cannot be called the Municipal Public Service Commission. It is a Service Commission in which the Calcutta Municipality or the Calcutta Corporation will have one representative only whereas the Government will have the majority of two. Therefore, Sir, it is an eye-wash to call it the Municipal Public Service Commission. I cannot understand why all these appointments cannot be made by the Municipal Public Service Commission appointed by the municipality or you can have it just as it is the case in Madhya Pradesh where in some of the municipalities the Chairman is elected on adult franchise and any one who gets a majority of votes becomes the Chairman. In Calcutta also you can introduce that system and then say that the Mayor can regulate all these things because he enjoys the confidence of the majority of the population of Calcutta. But you have made so many hierarchies. Not merely that, so many castes of officers as well, and the only Brahmin-in Hitler's language the Herrenvolk-is the Commissioner. He appoints the last category of officers and when he appoints practically he has his eyes on the Secretariat and probably on the chits sent from the Secretariat will regulate such appointments. So, Sir, I say that it is a very dangerous Bill making the Calcutta Corporation worse than a sub-department of the Government. So, Sir, I should say that the Government should not do it. The Chief Minister said that ours is a democratic Constitution. But what is this kind of Democracy? While I was hearing him I was reminded of the thesis—comparing big thing with small—the thesis of Field Marshall Goering in his book "Germany reborn"? Is it democracy when we will curtail them at every step? Why not have the Mayor elected on the majority of votes of the adult population of Calcutta and then give him the power for three years or four years. But then you may say that you cannot give absolute autonomy in the sense that the West Bengal Government also does not enjoy absolute autonomy because there is the right of the Assembly to change the Government by the votes of the members and there is also the provision for supersession by the President. If you do not want to give absolute power to the Corporation have a clause making provision for supersession so that if they mismanage the affairs the Corporation could be superseded. But why should you take away their right to manage their own affairs on the presumption that because they have mismanaged in the past they will for ever mismanage. Under the democratic constitution the members of the Legislature can come here and they can mismanage a revenue of 31 crores of rupees but the Calcutta Corporation people cannot be given the right to mismanage a few crores. They are after all concerned with the management of the civic affairs of the city with whatever money we can give them and with whatever money they pay from their own funds. Why do you object to the popular representatives getting the power because the Minister is a popular representative; Assembly Members are popular representatives. Make the Corporation Councillors also the popular representatives. Who objects to it? We all want it that there should be election on addit franchise. It may be said that if we are to have election on adult franchise new electoral rolls will have to be prepared and so there is the difficulty. But you have the electoral roll on the adult franchise. Apply the whole thing to Calcutta without changing it and have the election in Calcutta and then when the Mayor is elected

and the different committees formed they must be given these rights and if they mismanage the funds an auditor may be appointed by the Accountant-General to go through the accounts for the financial year and audit the same. Excepting the provision for audit and the extreme right of super-session that may be kept with the government there should be no other interference with the internal autonomy of the Corporation. But here the internal autonomy is interfered with at every stage. There are the three powers, the Corporation, the Standing Committees and the Commissioner. The Standing Committee is not a separate thing because the Standing Committee is to be appointed by the Corporation and final authority may or may not be given by the Corporation to the Standing Committee. It is completely under the control of the Corporation. In spite of the amendments that the Select Committee has made I have my doubts whether the Commissioner will be under the complete control of the Corporation. Beyond these three powers the State Government will also be an authority of the Corporation if expenditure over 5 lakhs of rupees is proposed the State Government has the right not merely to refuse but they can even modify. It is not written whether that modified thing must be carried out but it seems from the language that it must be carried out. Therefore the State Government is also the authority in the Corporation in a way if expenditure over 5 lakhs of rupees is involved. It is said that in the Bombay Corporation the Commissioner has worked well and that the Commissioner is appointed by the Government in Bombay but may I remind my triend that in Bombay adult tranchise has been introduced in the Corporation also. We must not take only the bad feature of this Government and the bad feature of another Government and not bring in the good feature of another Government and try to follow it here. I do not understand why the Commissioner should be appointed by the Government on the recommendation of the State Public Service Commission or even the Federal Public Service Commission. If you had wished to consult the Federal Public Service Commission I could have no obection. My point is why the Calcutta Corporation itself cannot elect its Commissioner. If the Mayor enjoys the confidence of the majority in the Council of the Corporation as you in the legislature enjoy the confidence of the majority here and can do anything you like and you have the right to manage or mismanage things, so the Mayor and the Corporation should be given the right to properly manage or even to mismanage their affairs. So I hold that the Commissioner should be appointed by the Corporation and all the officers should be appointed by the Corporation on the recommendation of the Municipal Public Service Commission, and final approval by the Mayor who enjoys the confidence of the majority in the Corporation. So in that case there will be real democracy, but under Fascist conception of democracy they say that democracy proceeds from the top. That was the theory which Field Marshal Goering adopted and which was accepted by his chief, Hitler, who said, "A hundred fools do not make a wise man". Similarly, Sir, here also our friends will say, "A hundred fools do not make a wise man and therefore one man should be put at the head and he will do as he likes". So I do not think that there is democracy in the country. Even in the ordinary matter of exercising their civic rights and doing certain civic things, in the Corporation although they will not be interfering with the administration of the country-neither the police administration nor law and order nor anything of the kind. You see, Sir, this huge Bill has been introduced and even the State Government has gone into the minutest detail as to how much is to be paid for keeping a dog—whether Rs. 50 or Rs. 20. I cannot congratulate the State Legislature for going into that. Even that could not be left to the Corporation as to whether it should be Rs. 20 or Rs. 50 or Rs. 30........(Sj. J. C. GUPTA: The maximum has been fixed.) Yes, but the Corporation should not be given the power to do these simple things as if they are children and must be taught everything by the Government from the top. This is the democracy about which I have been hearing so much. I thought at least these simple things could have been left to the Corporation, and I do not know what functions the Corporation has got to do as a civic body under this present constitution. They will practically become more or less advisers and nothing more than that. Therefore I do hope that you will not press this Bill through, especially at the fag end of this session and especially also as it takes away the right of managing the civic affairs of the Calcutta Corporation by the people of Calcutta. If you include Tollygunj and other areas, I have no objection. You can include all the neighbouring municipalities, even Howrah, and there is room for inclusion of Howiah also within the provisions of this Bill, but if I am wrong I may be corrected. But there may be a suspicion in the minds of people that as Howrah Municipality has gone out of the hands of the Congress, it may be included within the Calcutta Corporation. I know also that the Tollyguni Municipality has gone out of the hands of the Congress. And so far as Calcutta is concerned, I know that although the Chief Minister will say, Calcutta is not Bengal, the rest of Bengal wants to control the civic affairs of Calcutta through the medium of Government with the help of this Bill. Sir, I do say that this is an absolutely wrong thing. Sir, what is the population of Calcutta? More than one-half of the educated people of West Bengal live in Calcutta and is it their fault that they are more educated that you have not introduced adult franchise but have taken the plea that only those people, rate-payers, will be able to exercise the franchise. When we say, "bring in adult franchise", you say, "no, the rate-payers are the fittest persons to look after the civic interests". But when we say, "the rate-payers should have a chance to look after their civic interests", you say that popular representatives are the best persons to look after the interests of the people. But you cannot have it both ways. You should either give them that right or say, no. Either say, we should have swaraj, or say, "we shall have every thing under the control of one Government". If you say like Hitler,

I have no objection to that. I can understand that. But I cannot understand the sort of democracy as we have been finding it working in this manner. Sir, the effect of this will be that no self-respecting person will just like to be a Corporation Councillor because he will have to deposit Rs. 250 as security money with the chance of losing it in the first instance and also because, even if he succeeds, what will be his function? It will be nothing except dancing attendance round the Commissioner or doing this or that. So I do hope that this Bill will not be accepted by the House.

Sir, Government has got the majority vote with them and they may say, "we do not want to listen to you so long as we have the confidence of the majority." I do say then those who hanged Galileo, were in the right. Sir, the majority has not always been in the right. Sir, a democratic majority should act in such a manner that they have the confidence of the minority and the people of Calcutta will have no confidence in this Government if their elementary rights are taken away.

With these words, Sir, I oppose this Bill with all the strength at my command.

Sj. HEMANTA KUMAR BASU: শীকার মহাণার, কথায় আছে good government is no substitute for Self-Government. এখানে ত সে কথাই নর, এখানে bad Governmentত substitute হতেই পারে না Self-Governmentএর। এই বিনটা বে কত্থানি জনসাধারণের অধিকার,—বিশেষ করে কলকাতার জনসাধারণের অধিকারকে কুনু করে আমাদের সায়ে আনা হরেছে, তা আমার শুদ্ধের বন্ধু ডাঃ প্রশ্নে চন্দ্র বাঘ মহাণার অভি স্কুল্য ভাবে বন্ধিরে দিরেছেন। কলিকাতা একটা শিক্ষিত

লোকের পহর। এই শিক্ষিত শহরের অধিবানীদের অধিকার কুনু করে, তাদের নাগরিক অধিকারের উপর হতকের্প क्यरण (व गंडनेंदरके धरे तकन डार्ट क्शुनत शर्वन छ। छाता बात मा। धर्वात बाँबा बरन चारकन शंक्रनेंदरके (बाक्क क्वाएमत (big बाँबा बाहेदन कांक्स केंप्सन केंप्सन केंप्सनकां) क्य किरम अक्षा लाथ इन काँवा एकद सर्थन नि। আনালের সরকার বেষন একটা নির্বাচিত পতিষ্ঠান.--কর্পোরেশনও তাই। শছের বন্দোপাধ্যার বহালর অনেক পরিশাস করে এই কর্পোরেশন আইনটা বিধিবছ করেছিলেন, তাঁর সেই কীন্তির উপর যে এই রক্তর একটা বিষ এনে বে তাঁর কাজের পতি অশহ্য দেখানো হবে তা আমি ভাবতেও পারিনি ৷ এখানে কলকাতা জনসাধারণকে विशान कहा १८०६ ना। किन्त भंता ये अपने नतकारतन वर्षा तरतरहन छाँएमत शामिकसान येख्यानि, बाता बाहेरत আছেন তাঁদের দারিম্বন্ধান তার চেবে কোন শংশে কম নর। বাইরে যারা রয়েছে তাদের কর্ম ক্ষমতা ও দের क्रिय वनी वहे कर नय। अँता यपि शुक्छहे गंपछा विभाग करतन, छत्व अँताश अहा चीकांत कत्रवन। কিন্তু আঞ্চকে আমার মনে হয় যে, পৃথিবীর জনসাধারণ গণতন্তের দিকে এগিয়ে এসেছে, এবং তার পূভাব ভারতবর্ষ তথা বাংৰার উপরও এনে পড়েছে। কাজেই দে দিক থেকে, এই আইনটাকে যেতাবে এখানে ওঁরা উপস্থিত ক্তৰেছেল সেইভাবেই যদি বিধিৰত্ব ওঁরা করেন তাহলেও এটা কিছুতেই চলতে পারবে না। আগে যে আইন জিল তাতে Chief Executive Officer বিনি ছতেন, তাঁকে কৰ্পোরেশন খেকেই নিয়ক্ত করা হতেন এবং গভৰ্ণবেণ্টের কাছে সেটা পাঠান হতো, আজকে জাঁর ছলে এবন একজনকে দেরা হচেচ--বিনি গভর্ণবেণ্টের ছার। মনোনীত হবেন, যদিও কর্পোরেশন তাঁকে পরাতে পারেন কোনও সময়, কিছ গভর্ণবেণ্ট তাঁকে বে কোন ममय टेंग्डा यक महाएक भावत्वन अवः काँच वि मार्टेटन ध allowance कारक कर्णा (बन्टेन्स कान हाक নাষ্ট্ৰ তা পাৰুৰে গভপৰেণ্টের হাতে। তারপরে তিনি যে গভপৰেণ্ট্ৰ বা সরকারের লোকটে হবেন তাতে সন্দেহ নাই। তাঁকে সরানোর ব্যবস্থা কর্পোরেশনের 🕺 সভ্য বিলে স্থানরিশ করলেও সরকার বে তা মানতে ধাব্য হবের এशन क्लान विश्वान এ चारेटन नारे।

তারপরে কপে।রেশনের নান। কাজে যদি কোন দোঘ-ক্রটি হর বলে সরকার বনে করেরন তাহলে তাঁর। তাঁদের নিষক্ত officerকে অনুসন্ধান করার জন্য পাঠাতে পারবেন। এবং সেই officer এব শব খরচ কর্পোরেশনকেই দিতে হবে। স্থতরাং কর্পোরেশনের অধিকার এই গভণনেণ্ট যে কি রকম ভাবে কলা করছেন তা এই সৰ থেকেই অতি সহচ্ছে বোঝা যায়। বড় বড় কর্মচারী নিয়োগ থেকে আরম্ভ করে কর্পোরেশনের পত্যেক কালে হাত দেবার ক্ষমতা আৰু তাঁর। নিতে যাচেছন। Municipal Service Commission সুহত্তে ডা: বোদ যা বলেছেন আমারও সেই মত। কিন্তু Municipal Service Commission ও State Service Commission नृति जातात शुथक त्कन ? मृतित्क এक कत्रतारे छ हत । जातात मरू Municipal Service Commission একটা হোক, এবং সেটা Corporationএর বারা নিযুক্ত হোক, তাহলেই সেটা গণ্ডশ্ব সম্মত হৰে। ভারপরে স্বারেকটা কথা হচেছ এই যে, assessment যেভাবে করা ছচেছ ভা অত্যধিক বেশী। এই বিলটা পড়ে মনে হয় Government ইচ্ছামত জনসাধারণের উপর কর চাপাডে পারেন। এই বিলটা প্তলে মনে হয় যে, কলকাতার জনসাধারণের উপর করের পর কর চাপানো হচেছ। वर्षभारत विज्ञारन assessment इरुष्ट् त्यरे assessment वर्ष principle त्यरे। यरु मधाविष् ও দ্বিদ্র জনসাধারণের পক্ষে কলকাতায় বাস করা অসম্ভব হয়ে পড়বে। এবং কলকাতা কেবলমাত্র ধনীদেরই শহর হয়ে উঠবে। ইতিমধ্যে যে assessment হয়েছে তা যদি অনুসন্ধান করা যায় তাহলে দেখা ধনী, বভ বড় ব্যবসায়ীদের স্থবিধার জন্মই এটা করা হয়েছে। এবং গরীব জনসাধারণের পুরাণো বাডীর নতন দাম কোরে ও নতনভাবে assessment ৰসিয়ে ভাদের eviction যাতে করা যায়-এটাই মনে সচেছ এই बिटलब উत्मिना। এই गत मबाविस बाजानी यात्मत त्रस्न मात्मत करनारे आज नामात्मत शास्त्र क्षामा वार्षा erush 'ও ধ্বংস কোরে দেবে এই নীতি। এটা যদি কার্য্যে পরিণত হয় তাহলে কেউ সহ্য করতে পারবে না। এবং বাস্তবিকই সহ্য করা অসম্ভব হরে পডবে।

আরো দেশুন, প্রায় ক্ষেত্রেই C. I. T. Schemete preferential treatment দেওবা হচেড। সাধারণ নিরমানুযারী যেতাবে assessment হওবা উচিত ঠিক সেইভাবে দেওবা উচিত ছিল। এতে জনসাধারণের বিশেঘ কোন লাভ হয়নি, বরঞ বংগই ক্ষতি হচেছ। টালিগঞ ও উল্টাডাঙ্গা প্রভৃতি জঞ্জনে যথেই
ক্ষরি বালি পড়ে আছে, এটা জনেক lose ও ক্ষতির কারণ। এতে ধনীদের কিছু স্থবিধা হয়েছে কিছ পরীবের
কিছুই স্থবিধা হয়নি। উপরন্ধ পরীবের যথেই ক্ষতি ও টাকা লোকসান হয়েছে। Corporationকে বরাবরের
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মত সরকারের হাতে না রেখে এবং আনাদের দেশের গরীৰ জনসাধারণের উপর এইতাবে high assessment না কোরে বেতাবে assessmentএর ব্যবহা ছিল জ্বাং ১৯ টু p. c. রাখা বার তবে Corporationএর বা পাওনা তাই থাকে যদি taxএর এনন ব্যবহা করা বার জ্বাং sale tax, amusement tax, motor vehicle tax এবং জারো indirect taxationএর বে সব ব্যবহা জাতে তা থেকে যদি রীতিরত জাগার করা হর তাহলে একথা কেউ কথনো বনবে না Corporationকে tax দিরো না। কাজ করতে গেলে জ্বর্থের দ্বর্বার, কিন্তু সেই সজে দেখ্তে হবে আনাদের দেশের দরিন্তু জনসাধারণ কতথানি দিতে পারে। এই দিকে দৃষ্টি রেখেই আইন তৈরী করতে হবে। আইন তো জনসাধারণের মকলসাধনের জন্মই। বিশেষ করেকজনের নকলের জন্ম নয়। মুত্রাং আমার বক্তব্য হচেছ আমি যা suggest করলার তাই যদি হয় তবে high assessment করার দরকার হবে না।

আনর। ব্যক্তিগতভাবে জানি গাড়ী ধুইরে যে টাকা Corporationএর পাওয়া উচিৎ তার মধ্যে অনেক টাকা Corporation পায় না। এই বিঘয়ে Corporationএর নিকট আবি একটা scheme submit করেছিলাব। বেটা যদি বানা হোত তবে ৬ বেকে ৮ দক্ষ টাকা আর হোত। এইরকন আরো বহ ব্যবস্থা আছে। যদি त्मित्त पृष्टै (बर्थ अव: गंदीय क्षनगावादत्मत छेशत taxon छात्र ना वाहित्त क्षनामिक त्वत्क revenues ৰ্যবন্ধা করা হোড এবং Corporationএর শাসন ব্যবস্থার administrationএ কোনরূপ গল্ডি, ক্রটি ও চরি ৰাতে না থাকে এই রকৰ ব্যবস্থার জন্য আইন তৈরী করা হোত তাহলে না হর এর মধ্যে একটা বানে হর। ক্ষি বেডাবে আইন তৈরী করা হচেছ্ ডাডে Corporationএর গণতাহ্রিক অধিকার হরণ হচেছ্ ও জনসাধারণের চপৰ অত্যধিক ট্যাক্স বসান হচেছ। বৰ্ষৰ Congressedৰ হাতে ক্ষ্মতা আসেনি তথ্য প্ৰায়ই বলা হোত খ্ৰুচ ক্ষিত্রে দেওরা হবে। কংগ্রেসের নীতি ছিল সবচেত্রে বেশা মাহিনা নেওয়া হবে ৫০০ টাকা, তার বেশী হবেনা। এখন তাঁরা বলেন এই টাকায় অভিজ্ঞ লোক পাওয়া যায় না। কনিকাতা Corporationএর কাঠ্যকলাপ দেখে জনসাধারণের ব্রুডে বাকী নাই অভিজ expert দিয়ে ক্তর্থানি কাল হচেছ। কালেই বোটা সাইনে দিয়ে ব্বজন পোষণ একটা নীতি হয়ে গাঁড়িয়েছে। তাঁরা যে কতথানি expert তা' আমরা বঝতে পারি না। এ।০ ছাজার তো নরই, আমাদের এই দরিদ্র দেশে ১॥০ হাজার টাকার বেশী মাইনে হওয়া উচিৎ নয়। Corporationএর একজন Chief Engineer আছেন, তাঁর কাজ বক্তনেই জানেন। তার উপর আর একজন Deputy Engineer हानान श्टबरह । এইनव पार्च छत्न मत्न श्रव निरम्भागत लात्कृत भौछित मना এই नमछ कता शरह । कृतिकाछात्र জনসাধারণ জানে কোন বিষয়েই Corporationএর নিকট পুতিকার পাওয়া বায় না। জানি চিঠি নিখেও উত্তর পাইনি। Corporationএর কর্মচারীরা ও জনসাধারণের সঙ্গে কি ব্যবহার করেন চা জামরা জানি। ত্রাপর, Corporationএর যে বাজারগুলি আছে দেই বাজারগুলি ভয়ানক congested এই বিষয়ে একটা আইন হওৱা উচিৎ। সেই ৰাজারগুলি এত অপরিছার অপরিছনু থাকে বে, লোকে সেখানে চুকতে পারে না। এই market-चिनित्र यनि উনুতি কর। হয় তাহলে আয়ও বাড়ে। তারপর, আপনারা সকলেই ছানেন বে, কলকাতার এখানে ওধানে যে সমস্ত ধাবার বিক্রী হর তা এত ভেন্সাল মিশ্রিত বে, তা মানুষের ধাওয়ার উপযুক্ত নয়। Corporation विष चाइन क'रत और जनक जिनिष distribution अत जात शहन करतन जाहरत मुदेनिक (बरक स्वित) हत. বেষন, জনসাধারণ Corporationকে নামী করতে পারে, আর Corporationও দেখতে পারে সত্য সভাই ভাল খাবার দেওরা হচেছ কিনা। আর ভাহকে Corporationএর আরও বেড়ে বাবে। আজকাল building materials বেষন steel, cement, লোহা ইত্যাদি সংগ্ৰহ করার জন্য Supply Departments त्रित्व कछ अभ्यान नहा क्वरा इत्र छ। नकरनहे आरन। Corporation यनि এইनव जिनिए distributionএর ভার নের এবং Corporation এ একটি department খোলা হর ভাহলে জনসাধারণেরও স্থাবিদ হয় এবং Corporationএরও আর বাড়ে। Supply Departmenta গিরে লোকে ভন্তে পার 'ভিনিষ ৰাই, ৰশাই"। প্ৰীবেৰ শেখানে স্থান নাই। স্থুডৱাং Corporation যদি একটা representative body হর ডাহ'লে জনসাধারণ একটা অভিবোগ করতে পারে। তারপর জনের পাইপ। বরবাড়ী সবই আছে, কিছ জনের পাইপের জভাবে কলকাতার কভ ক্রোকের বে কটভোগ করতে হব তা ব'লে শেঘ করা বার না। Corporationএর হাতে ৰণি এইসৰ জিনিমের ভার পাকে ভাহ'লে Corporation ও জনসাধারণ উভবেরই স্থাবিধা হর। ক্লিকাতার রাজাবাট প্রার অপরিকার খাকে; এই দিক খেকে আমি মনে করি Corporation এর পক্ষ খেকে क्ष्य बावका कहा केहिए बास्त नामविकस्पन मान बस्पेड बाहिककारनंद मकांद हत। अहे विवस्त Corporation वर्ष

বৰেই ক্ষেট্ৰ আছে ব'লে আনি বনে কৰি না। কলিকান্তাৰ বে বুন পাণ্ডৰা বাৰ এবং বে বুন বৈৰে নিভবেৰত জীবন ৰক্ষা কৰতে হব তাৰ কৰা না বনাই তাল। কিছ এই Municipal Billa নে সৰছে কোন বাৰত্বা নাই। কলিকান্তাৰ অনেক বাঁটান আছে। এই বাঁটান সৰছে নিবন আছে ১০ কুট করতে হবে। কিছ নাগৰাকাৰ অকলে আনি ও কুটেৰ বাঁটানণত দেখেছি। এদিকে Corporationaৰ সতৰ্ক বৃষ্টী রাখা উচিৎ বাতে সমন্ত্ৰক আইনের আশুর না নিবে ও বিজ্ঞান সন্ত্ৰত উপাবে বাটান তৈরী হয়। কলিকাতায় বে toned milk বিক্রী করা হব তা লোকে তাল ব'লে মনে করে না। এই সব বুধ না দিবে বাঁটি চুধই অনসাধারণকৈ দেওয়া উচিৎ। License বিনি income-tax basis এর উপার করা হব তাহ'লে অনেক স্থাবিনা হবে। তাতে Corporationaৰ স্থাবিনা হবে এবং গারীবের উপার অত্যাচার করে যাবে। তারপার আরেকটা মলার ব্যাপার হচেছ এই বিলে এবন কোন কথা দেখলাম না যাতে কলকাতার বন্ধীগুলির উনুতি হতে পারে। এই জিনিঘটা বর্তমানে বিশেষ করে তেবে দেখা উচিৎ এজন্য যে, পূর্বক থেকে আগত বহু উহার ভদ্রলোক স্থানাতাৰে বন্ধীগুলির অবস্থা এমনই যে, পুতি মুহূর্তে রোগাক্রমণের তরে থাকতে হয়। এইসব বন্ধির জমিনাররা বন্ধিবাসীদের উপার নানারকম্ব অত্যাচার করে এবং বন্ধিগুলির উনুতির জন্য কোন চেটা করে না। এই বিলের ব্যয়ে এমন কোন ব্যবন্ধা নাই যাতে পারখানা ও জনের স্থবলোবন্ধ না করকে জমিদারদের বিনে বিশেষ করে এবং কেনিক বান্ধান ব্যবন্ধা নাই বাতে পারখানা ও জনের স্থবলোবন্ধ না করকে জমিদারদের বিনে বিনেছ বানেই বানি এই বিলচার সম্পর্ণ বিরোধিতা করছি।

Sj. BIMML COMAR CHOSE: Mr. Speaker, Sir, first of all I should like to say a word about the manner in which this Bill is going to be passed in this House. I had written to you, Sir, that the time that we were allowed to study this Bill and send in amendments was very short. If you would only consider the bulk of the Bill, you will agree with me, Sir, that it was rather intimidating. Of course we have been used to considering legislation here at very short notice. Ever since the attainment of independence so far as the Legislative Procedure Rules are concerned, in this House we find that what is ordinary has become extraordinary and what is extraordinary has become ordinary. But, Sir, I would like to make one submission. I feel that we are proceeding with this Bill without giving an opportunity to the rate-payers of Calcutta to submit their opinion on the report that the Select Committee has brought out. It has been published in the Gazette today. I feel, Sir, that as it appears we cannot finish the Bill before the Pujas. I just want to suggest whether it should be possible to stop with the Bill at the consideration stage and go on with the second reading after the vacation so that in the meantime the rate-payers of Calcutta might be enabled to give their opinion on the recommendations of the Select Committee if they so wish.

Now, Sir, coming to the subject there is no denying the fact that the Corporation was being mismanaged. We all remember that when the Government superseded the Corporation there was unanimous approval both from the press and from the public so that there is no desire on my part nor is there any reason for supporting the Corporation or the Councillors for the way in which they had conducted themselves mismanaged the affairs of the city and brought things to a very bad pass. But at the same time, Sir, I feel that the Government also—I do not mean only this Government but successive Governments in office—cannot escape some share of responsibility for this state of affairs. They had sufficient powers if they had only wished to intervene to better or mend matters. Sir, in the 1923 Act, powers were given to the Government under sections 14 to 19. Section 15 states "The Local Government may require the Corporation to furnish them with any return, statement and so forth. Report on any such matter, copy of any document in their charge. Section 16 states "The Local Government may depute any officer or officers to make an inspection or examination of any department and so on and so forth. Any officer so deputed may inspect the condition of any part of Calcutta and may require the Corporation to produce any record and so on. Section 17 states "If on

receipt of any document furnished under section 15 or any report submitted under section 16 the Local Government are of opinion that any of the duties imposed by or under this Act has not been performed or has been performed in an imperfect, inefficient or unsuitable manner or adequate financial provision has not been made for the purpose of any such duty, the Local Government may by written order direct the Corporation within a period to be specified in the order to make arrangements to their satisfaction for the proper performance of the duties referred to in clause (a) to make financial provision to their satisfaction for the performance of any such duty as the case may be or to show cause to the satisfaction of the Local Government against making of such arrangements or provision as the case may be".

So, I submit, Sir, that even under the old Act the Government had sufficient powers to intervene if the Corporation were not conducting itself properly and that Government had failed in their duty-successive Governments in the past and the Councillors also—and allowed the Corporation to come to such a sorry state of affairs and therefore the Government must bear their share of responsibility as well. Now, Sir, the position is this: We are bringing forward this Bill because the affairs of the Corporation were not being properly run and it is therefore necessary to examine as to how far this Bill will improve matters and bring about a better management or administration of the Corporation. That, Sir, raises the question as to what were the defects or what were the reasons for which the Corporation had come to this sorry state of affairs. The main reason is, as has been stated in the Interim Report of the Corporation of Calcutta Investigation Commission, is this: It says that "If the Corporation is to be freed from the abuses which have brought it into disrepute, the first step to achieve this object must unquestionably be to do something which will secure the return of a better type of Councillors—men with a genuine sense of civic responsibility who will not use their position merely as an instrument for the furtherance of party ends or personal interest. It is this in fact which makes elections a matter of vital importance to the Corporation for ensuring its efficient administration and also constitutes an additional ground for the Commission giving first priority to this topic among the many questions it has got to consider".

Sir, we have heard quite a lot and we shall hear also a lot about the Commissioner, his function, his appointment and that is quite reasonable, but, Sir, I shall presently show that however good a Commissioner may be if the Corporation is so constituted that men who become Councillors are not conscious of the duties and responsibilities, then merely some tinkering with the appointment and powers of the Commissioner will not improve matters. But that raises the question of election. Now, what has been done in that matter. So far as the elections are concerned no changes in the conduct of election, have been made or introduced in the Bill. Sir, it is interesting to observe that so far as the conduct of elections are concerned even in the 1923 Act all powers vested in the Local Government. That was under sections 25(2) and 31 of the present Act. Section 25(2) is in regard to rules of procedure—the authority by whom the electoral roll shall be prepared and so on. Section 31 is the rule for providing the forms and manner and conditions on which nominations may be made and how elections may be conducted. But although the Government had these powers yet as a matter of fact Government did not do anything in the matter. Every time the conduct of elections was entrusted to the Corporation and the Chief Executive Officer and therefore the abuses that existed continued. Now, it is a very rational question to ask as why the Government had not set up their own machinery for elections which would take away this matter from the hands of the Corporation and which would ensure

that better type of men might be returned or that there might not be any manageuring to get certain chosen people to be elected. As this is a very vital matter, Sir, I do not understand as to why the Government did not accept the recommendation of the Investigation Commission in regard to election matters was set forth in paragraphs 121-123 of the Interim Report in which they proposed a separate body for conducting the elections which they designated as the Calcutta Corporation Election Commission. The Commission should be composed of men about whose integrity or independence there can be no suspicion, and who will at the same time be men of capacity, able and willing to devote time and attention to the performance of their duties which will be no less arduous than responsible. We suggest for consideration of Government a constitution of not less than three members who may be selected out of some such panel as—

- (1) Chairman, West Bengal Public Service Commission;
- (2) Chairman, Calcutta Municipal Public Service Commission;
- (3) A nominee of the Provincial Government who shall be or has been a judicial officer of not less than ten years' standing and not below the rank of a District Judge;
  - (4) A nominee of the Provincial Governor who shall be a representative of trade, commerce or industry or a distinguished citizen of Calcutta from any other walk of life."

So there was a proposal to set up an independent body who should conduct the elections. But I do not see why the Government have not accepted that proposal but have, on the contrary, continued the same system as exists in the present Act. I feel that unless that is altered the very purpose for which this Bill has been brought will in actual practice be defeated.

Then, Sir, I do not also understand as to why the recommendation of the Committee in regard to franchise was not accepted. The Commission recommended adult franchise for election and suggested the following methods: Every person, male or female, who has attained the age of 21 years on a specified date shall be qualified as an elector in a constituency-(1) if for a period of one year up to the specified date he or she has resided in a dwelling in the city; or (2) if he or she being liable to pay, has paid to the Corporation any rate, tax or fee imposed under the Calcutta Municipal Act in the year next before the year of election. Sir, this provision is made because whenever the question of adult franchise is raised it is objected to on the ground that Calcutta has a very large floating population and that it will not be fair to enfranchise these people who have no interest in the city. Therefore this provision was recommended, namely, that there should be a residential qualification for a period of one year so that the floating population should be eliminated. I do not see why that recommendation has not been accepted. What the Bill has accepted is, I find, a measure that was recommended or considered by the Investigation Commission and the proposal was made by the then Chief Executive Officer and which the Investigation Commission has rejected. The Commissioners do not believe that there is any guarantee that the property qualification or the tax paying qualification will necessarily put the suffrage in the hands of an independent and thinking class of persons. The actual experience under the existing system does not encourage such a view. And it goes on to say, "It is the ultimate justification of democracy that it does not keep the common man perpetually in leading strings, but teaches him in the school of experience to work out his own salvation. In any case, the Commissioners are not prepared to condemn adult franchise as a basis of municipal elections before giving the system a fair trial."

Sir, I do not understand why these very reasonable proposals have not been accepted by the Government. So far as the franchise is concerned, that is the system that is obtaining in Bombay, and I understand that the results there have been very satisfactory. I feel very strongly that unless the procedure of election and the conduct of election of Commissioners are made such that there would be no room—at least as far as can humanly be provided for—for manipulation or manœuvring, and unless that is done there is no scope for having a Corporation satisfactorily working.

Now, Sir, I come to the question of the Executive. As I said, there is a difference of opinion and a very honest difference of opinion as to whether the Government should have the power of appointing the Commissioner. Now, Sir, what I feel is that there will be no harm in making the appointment of the Commissioner dependent on the Corporation on the recommendation of the Public Service Commission and subject to the approval of the Government. Even in the present Act the appointment of the Executive Officer is subject to the approval of the Government, and yet we find that there has been such a sorry state of affairs in the Corporation. When I look at the present Act I do not see in what way the Bill before the House today will bring about any improvement in the situation, because the essentials in the present Act have not been altered, namely, the system of election and the appointment of the Executive. I say, because Government have sufficient powers under the present Act, if those powers are not exercised, it is probably because of political considerations or because of their incompetence, and these conditions may still continue; and therefore there is no reason why if we accept the provisions of the Bill there will be any improvement.

Now, Sir, the principle that has been accepted in the matter of the appointment of the Commissioner is known as the Council Manager Plan. Although I say that the appointment is to be made by the Government and not by the Corporation, yet it is virtually the Council Manager Plan, where the idea is that the Council will be responsible for the policy and the Manager for its administration. But as you can easily realise, in this matter there cannot possibly be any clear cut provision: there will be various sorts of conflicts and simply the introduction of this system will not bring in a heaven in the place of the hell that was existing in the administration of the Corporation when it was superseded. Sir, a noted authority of this Council Manager Plan which has been borrowed from the system as it obtains in America says about this system,—"More than once they have made unqualified assertions that could not be proved, and promises that could not be fulfilled."—I am reading from a book of Austin F. Macdonald on the American City Government.—"In the heat of the campaign these critics of the Council Manager Plan have sometimes said that this system would eliminate all graft, confound the professional politicians, and make the municipal administration one hundred per cent. efficient. Then has come the adoption of the plan, together with the speedy return of the professional politicians to power; and the Government has continued on about the same plane as before. When circumstances of this sort arise, good government cannot reasonably be expected. But the masses of the people do expect that the Council Manager Plan would bring in a civic millennium. The millennium fails to put in an appearance, and they blame the plan. "......Even at the expense of losing a few votes it would be better to say frankly that Manager Government cannot guarantee the honesty and efficiency of city officials. It is merely a scheme for simplifying the municipal framework and making easier the task of selecting good men." So that, Sir, what I wanted to say is this: let us not place all our hopes that the adoption of this system will bring about a millennium.

Sir, at the introduction stage I do not want to enter into the many topics or the many subjects which naturally a Bill of this dimension raises, because there will not be time, and in the second reading stage we shall have time to go into that. I am concerned only with the main and fundamental issues on this subject, but there are certain things which have struck me. What is the basis behind the proposal which the Government have brought forward? I find, Sir, certain contradictions. Here we had a democratic institution established in the shape of the Corporation. The Corporation did not function well. What are the Government doing, although they must also share blame for that, to rectify that? They are trying to put checks or brakes by acquiring some powers themselves, but what is the basis of the difference between these two institutions—the Corporation and the Government? Both are elected bodies, both are based on the same principles. If one is bad, how can you assure yourself that the other will be any better, because more or less the same procedure is there, the same people will come there, and if they have mismanaged the Corporation, how can you expect that the affairs will be run better by the Government which is elected in the same fashion but probably more democratically.

Sir, there is also another danger and that we have experienced in the past. It is this: if the same party be in the Corporation and the Government, mismanagement in the Corporation will be countenanced and nothing will be done; but if for any reason the two parties in the Corporation and the Government be different, then there will be a conflict of interest and then I am sure that even if the Corporation under those circumstances were to run efficiently and honestly, there will be always a danger and a desire on the part of the Government to intervene and place the Corporation in the wrong, because the two parties would be antagonistic to each other. So what do you gain by this proposal that you give more powers to the Government? You are only either going to continue the same state of affairs, continue corruption or you are going to enlarge the field of conflict. I cannot see, Sir, how things will improve.

Then, Sir, there is also another fundamental matter and that is in regard to the very question as to what authority the Government should exercise over a local body. What right has a Government to exercise any authority over a local body? That is a question of principle and as far as I know, as experience in other countries has shown, Government can acquire some authority with some justification if they are going to give financial assistance. In Great Britain, for example, Government has in course of time acquired large control over local bodies because there is an attempt there to raise the standard of services rendered by local bodies. If Government had any such desire or any such plan in the Bill that they were going to provide sufficient financial assistance for raising the standard of service to be rendered by the Calcutta Corporation, then I should say, Sir, they would have a reasonable ground for some control over the Corporation, but there is nothing of that in the Bill. I say therefore that the Government do not acquire any moral right of any control over any local bodies under those circumstances. On the contrary it should be our endeavour to see to it that local bodies are made more and more democratic and that people get experience in democratic control and management of affairs.

Sir, there were many points that I wanted to refer.

(At this stage the blue light was lit.)

I was just watching the Secretary trying to put on the light and it is already there. So, Sir, I shall not say anything more now, but I would only like to recall some of the words the architect of the Calcutta Municipal

Act, 1923, uttered while piloting that Bill in the then Council. He said, "Today is a momentous day in our annals. Bear in mind that we are making history". But what can we say today, I mean, just today. I think we have to say, "Today is a mournful day in our annals. We are trying to put history in reverse." This is of course my wording, this is not there. Sir Surendranath had also said this: "To me, Sir, the Bill affords a matter for personal solace and gratification. To me it means the fulfilment of one of the dreams of my life. Ever since 1899 I have lived in the hope of witnessing the rebirth of my native city robed in the mantle of freedom." Those were his words. Sir, that mantle of freedom which Sir Surendranath had drawn over the city with loving care is now to be sullied and rent asunder. There was, Sir, a day in the past when our Chief Minister had won a great victory over the architect of the Calcutta Municipal Act, 1923, but I am afraid the vanquished is having a noble revenge today, for the victor of those days will, I am afraid, go down in history as one who was instrumental in trying to put back the hands of the clock of progress which Sir Surendranath had bequeathed to posterity.

8j. CHARU CHANDRA BHANDARI: মাননীয় স্পীকাৰ মহাশয়, যে বিল আমাদের সাহে খানা হয়েছে, তা খানার কাবণ ২চেচ যে কলকাতা কর্পোরেশনে বহু দিন যাবৎ কশাসন চলেছে: এবং সেই क्रमोगन पत्र कत्रवात्र ब्रम्ना ও ভविषार् এই त्रकम क्रमोगन निवात्रगकरल्थ এই विल यांना शररार्छ। किन्नु यांगि পুথমেই বলে রাখি, এই Calcutta Corporation একটা unitary authority ছিল। কিন্তু এই वितन या कता इत्यादक छाटा এই जिनिमहोतिक, এই authorityहोतिक छात्र करत (प्रया इत्यादक। ১৯১৯ जाति Government of Indiaco বা ভারত শাবন ব্যাপারে ইংরেজ diarchy প্রবর্তন কোবেছিল। এখন ১৯৫১ সালে আমাদের পশ্চিমবন্ধ Government কলকাতা Corporation diarchy কেন, triarchy भुवर्षन कंद्रालन। এको हाला Corporation बाद्रबको हाला Commissioner, बाद्र छात्रशहरू authority হচেছ Standing Committees. ব্যাপার হচেছ, ১৯১৯ সালে ভারত শাসনে যে diarchy প্রবিত হয়েছিল তার মধ্যে তবও একটা unifying authority ছিল। সেটা হচেছ Governor. কিন্তু আমরা बिन এই विनों। जान करत एमि जांदरन एमी गांदन या, जाहाज: Commissioner এव: Corporationএत बर्ग त्कान unifying authority ও integrity नाहै। कार्लाई खरवा इटाइ এककन উछ्दर, चारतरक्षन দক্ষিণে। এটা ঠিক যে, যেভাবে authority দেওলা হচেছ তাতে একজনকে দেওলা হচেছ policy-making ৰা Legislative authority আর Commissionerকে দেওমা ২চেছ executive authority। স্থাতনাং Corporation এব মধ্যে শৃইটি authorityর তফাৎ পাকবে। কাজেই responsibility একজনকৈ দেওয়া উচিত: ultimate authority একটা unifying bodyকে না দিলে কাজ চলতে পাবে না। এবানে ভুখু উল্লেখ করে ৱাৰলাম, পৰে এটা explain করব। আসল কথা হচেছ Corporation একটা democratic, self-governing institution হওয়া উচিত। এখন যেটা হতে যাচেছ তাতে দুটো ভাগ হবে, একটা হবে legislative function আরেকটা administrative। এখন পুশু হচেছ democratic control কতন্ত পর্যান্ত যাবে, বিশেষতঃ administrative ব্যাপাৰে। এবং executive function ব্যাপারে এই democratic control কভ্রুর পর্যান্ত থাবে 
প্রথম আমি এটা স্বীকার করি যে, municipal mattera democratic control এতদুর পৰ্যান্ত যাওৱা উচিত নয় যাতে administrative efficiency নষ্ট হয়। কিন্তু এমন হওৱা উচিত যাতে Corporationএর পুৰস্ত authorityই ধুব করা না হয়। Corporationএর কুশাসন সহক্ষে Investigation Commission এর Report পেকে আমি এখানে উদ্ধৃত করছি। Democratic control কি প্রকৃতির ছৰে, এবং Corporation বা municipal body কি typeএর হবে সেটা নির্ভর করে Government-এব উপর। এই নিয়ে বিভিন্ন দেশে বিভিন্ন রক্ষমের পরীক্ষা ২য়েছে। ১৯২৩ সালের আইনে Corporationই principal Executive Officer appoint करूछ এবং अञ्चल: भारेत, कार्याण: ना शतन्त्र Corporationএর হাতেই legislative বা policy-making function ছিল। এবং অধিকাংশ administrative function Chief Executive Officerএর হাতে নার ছিল। Corporationএর ৰুবল্প বিষয়ে, executive matters তিনি final authority ছিলেন। কিন্তু দেখা বাচেছ যে কারপেই ख्यांच. अहे भागन कार्याक्रवीक्षांदर करलिन। त्कन करलिन, कांव कि लाव किन ? त्यहेनव लाव विन नःत्नांवन ना कवा।

ৰাৱ ভাহ'লে জন্যান্য দেবে বিবেষভ: আনেরিকার, বে সমন্ত পুয়ান কার্যাকরী হবেছে তা আনাবের পূহণ করতে হবে। তাঃ বােষ তাঁর বজ্তার strong Mayor Council Plands কথা বলেছেন। আনাং এই রক্ষ একটা Corporation হবে বাতে elected councillor বা member থাকবে এবং তার mayor বা chairman হবেন adult franchise হারা এবং সেই mayorই হবেন executive head. যদি আবরা পেরি বে, Corporation পুক্তপকে Corporation থাকছে না এবং executive ক্ষতা Governmentএর হাতে চলে যাচেছ তবে আনাদেব তাঃ বােষের পুতাবান্যায়ী strong Mayor Planই পুহণ করা উচিত। এবন দেখা যাক Investigation Commission কি Report দিয়েছিল; নেই Report এর ২০নং paragraphএ আছে কি অবস্থা চন্ছিল—

"The germs of the Council Manager plan may be said to have been implicit in the Constitution under Act III of 1923. That is, the Calcutta Municipal Act of 1923 in so far as it provided for an elected council though not wholly elected. A ceremonial Mayor to be elected by the Council itself and an officer corresponding to the Manager to be appointed by the Council as the principal Executive officer of the Corporation constituting on the whole a set-up which there was no reason to suppose would not produce efficient administration. Unfortunately however out of what must now be regarded as an exaggerated anxiety to give the Corporation a wide democratic character all powers, duties and functions legislative as well as administrative are expressly vested in the Corporation, and the Chief Executive Officer was left to exercise his authority except as regards a few matters like assessment and elections only by virtue of delegation by the Corporation. The Corporation was so empowered to delegate its powers executive or otherwise to committees, and this again entrenched further upon the authority of the Executive officer. We shall see hereafter how the powers of delegation varied from time to time according to the whims and caprices of councillors and reduce the Chief Executive Officer to a position of complete subservience so much so that even in matters in which the Chief Executive Officer had statutory power individual councillors had their way.

এই হচেছ অবস্থা। ভাতে বলা হয়েছে যে, Corporationকে administrative mattera অত্যন্ত বেশী ক্ষমতা দেওয়া ছিল এবং Executive officerকে যে ক্ষমতা দেওয়া চোত এটা by delegation from the Corporation; এই জিনিঘটা abuse কবে আজ এই অবনতি হয়েছে। এখন দেখা যাক, এই জিনিঘটা কিভাবে সংশোধন কৰা যায়। কোন জিনিঘ এমনভাবে করা উচিত নয় যাতে সমস্ত administrative department একটা Government departmenta পরিণত হবে। এখানে দেখা यात्र त्य, Executive Officer क त्य भाषा कमाजा प्राथमा ध्याष्ट्रिन शार्ट गव कमाजा অনেক সময় Corporationই হরণ কবেছিল। এবং Corporation সমস্ত ক্ষমতা Executive Officerএর হাতে তুলে দেয়নি। यদি এই বিধান করা যায় যে, Executive Officerকে সৰ statutory क्रमण পেওয়া যায় তবে এই কুশাসন দুর হতে পারে। তবে Executive Officerকে Corporation এর সঙ্গে co-ordinate authority কৰা উচিত নয়। এমন করা উচিত নয় যে তাঁৰ কাঞ্চে একটা diarchy भृष्टि केत्रा इत्य। श्राप्ताव भत्न इत्र (forporation এव मत्या पर्वता आदा (fovernment नमन्द्र कमाण usurp কবে নিয়েছে। Council Manager Plana perfection আনবার অভ্যাতে Government नमञ्ज कमञा नित्कत बार्स्स निरुक्तः। अत नर्सा Executive Officerरक वा अवन पारक Commissioner ৰলা হচেছ তাঁকে একটা authority কৰবাৰ কি কাৱণ ৷ তাঁৰ উপৰ Corporationএৰ কোন centrol পাকছে না। He will be appointed by the Government, Government দারা তিনি নিযুক্ত চবেন। Government তাঁকে যে কোন সময় remove করতে পারে। বিলে বলা হয়েছে এবং প্রধানমন্ত্রী শ্বমং बलाइके एर, এই क्रिनिषक्ति कता इस्तरङ बास्ट डीव डेशव Corporation पत व्यविकात शास्क । राहे का पड़े बुछन बिरन Select Committee এको। विश्वान करत्रष्ट् ए . Corporation एव अनल विधिविश्वान भूनग्रन করবে সেই বিধি অনুবারী Commissionerকে কান্ধ করতে হবে। আমি এটা বুখতে পারছি যে, তাঁকের ৰখ্যে এই নিবে বিবেকের বে দংশন হয়েছিল এটাই এর মধ্যে প্রতিকলিত হয়েছে। তাঁরা বুরেছিলেন যে এটাকে

একটা Government departments পরিশত করা হচেছ। সেইজনা স্টোকে একটু soften করবার জনা তাঁর। এই ruleটা পুবর্ত্তন করেছেন, সেটা হচেছ এই clause 28(a). এবন শেখা যাক সেই ruleটা কি। তাঁর। যে rule পুগ্যন করেছেন সেটা হচেছ, "In exercising his powers and performing his duties and functions under this Act, the Commissioner shall conform to such rules, if any, as may be made by the Corporation relating to matters in respect of such powers, duties and functions."

এখন ভাল করে দেখুন এই ruleটার তার কতটুকু অবস্থার উনুতি হতে পারে। প্রথমে হচেছ এই যে Commissionerকে নিযক্ত করে তাঁকে দিলাম কি r

Mr. SPEAKER: You will please resume your speech after the adjournment.

(At this stage the House was adjourned for 15 minutes.)

### (After adjournment.)

8]. CHARU CHANDRA BHANDARI: (मर्श) यात्र, त्य और वित्न Commissioner द य कम्पा पत्रा श्राह्म वर कर्पा दिनन्द य कम्पा पत्रा श्राह्म, त कम्पा में है विम जान करत विद्युचना करत जानता एमि, ठार 'तन एमे। यात्र त्य 28Aएठ त्य rule भुनत्रतनत्र कथा बना स्टाइएइ, त्य rule दात्रा Commissioner চলবেন দে rule शुनग्रत्नत प्रात्रा कान्छ अन्न छन्छि नाथन श्वाह कि ना एका याक। কৰিশনাৰকে এই ক্ষতা দেয়া হয়েছে—"Subject to the provisions of this Act and any rule, by-laws or regulations made thereunder the entire executive power for the purpose of carrying out the provisions of this Act shall be vested in the commissioner." আর কর্পোরেশনকে এই ক্ষমতা দেয়া হয়েছে— "Subject to the provisions of this Act, Municipal Government of Calcutta shall vest in the Corporation but the Corporation shall not be entitled to exercise or discharge any powers, duties or functions expressly assigned by or under this Act or any other law to a Standing Committee or to the Commissioner." কৰিবনার বা Standing Committeeকে যে ক্ষমতা এই আইনে দেয়া হয়েছে সেই ক্ষমতা সম্পর্কে Corporationএর त्कान किছ करवात थाकरव ना। Commissionor एक एव power एम्या इरसाइ त्मश्रीत এই power एम्सात नवर्ष अमन किছू बना नारे-In the exercise of his duties, powers or in the performance of his duties, he will be responsible to the Corporation. Afr Corporationএর কাছে কোন responsibility না থাকে যেটা parent body তার কাছে যদি কোন responsibility না পাৰে, এবং যেখানে clause 6এ বলা হচ্চে এক রক্তম—there shall be three authorities. এই তিনটা বে municipal authority তার মধ্যে একটা হচেচ Corporation, একটা হচেচ Commissioner এবং আর একটা হচেচ Standing Committee. যেখানে Commissionerক ৰৰা হমেছে তাৰ ভিতৰ all the executive power of the Corporation shall vest in him. কিন্তু তার সম্বন্ধে কোন কথা বিলে নাই বে তিনি তার ক্ষমতার পরিচালন বিষয়ে Corporationএর कारक responsible शतन। कर्लारज्ञन मक्ष्यक अकथा निर्म नाहे—Commissioner क रा क्या लगा शरपाइ তাতে कर्प्शादन्यन शक्कप्त कदार भारत। करन এই य चनन्ना একে चानि diarchy बरनाइ किंच बोरिक triarchy बनारे किंक श्रव कांत्रन धरे य जिनते independent authorities जातन ৰবে কোন co-ordination নাই, কারো সক্রে কারো সম্পর্ক নাই।

ভারপর এই বিলের পাতার পাতার ছত্রে ছত্রে কমিশনারকেই সমস্ত বিঘরে ক্ষমতা দেয়া হরেছে, তিনি কোন কারগার কোথার কি করবেন না করবেন। এমন কি কোন member বা councillor বদি নথী দেখুতে চান তাঁকে নথী দেখুতে দেবেন কি না দেবেন তা পর্যান্ত এই বিলে বলা হরেছে কেটা বলার কোনই আৰ্লাক ছিল না। আমাকে দেখিরে দিন মুখ্য মন্ত্রীমহালয় এই বিল বিনি pilot করছেন, বে একটা set of rule যা তৈরী করা হরেছে তাতে কোন স্থানে Corporationএর authorities থাকবে? Corporationএর কার্য্য পরিচালনার অনেক technical বিষয়ের আবশ্যক হয়—

8j. JYOTI BASU: On a point of order, Sir. The Hon'ble Minister who will give the reply is not here.

Mr. SPEAKER: It is not necessary for there are others.

\$j. CHARU GHANDRA BHANDARI: আবাদের মুখ্য মন্ত্রীমহাদ্য এখানে ছিলেন না, আমি pointটা পুনরাম বলছি। কমিশনারকে যে ক্ষযতা দেয়া হয়েছে, এবং কপোরেশনকে যে ক্ষযতা দেয়া হয়েছে, এই দুই ক্ষযতা ভাল করে বিবেচনা করলে দেখা যাম কমিশনারকে যে ক্ষযতা দেয়া আছে সেখানে একখা বলা নাই যে সে হবে responsible to the Corporation in the discharge of his functions. এবং কর্পোরেশনকে ক্ষযতা দেয়া হয়েছে ভাতে একখা বলা হয়েছে কমিশনারকে যে ক্ষযতা দেয়া হল সে ক্ষযতাতে কোন হন্তুক্ষেপ করতে পারবে না। এই বিলের প্রতি ছত্রে প্রতি দ্বানে কমিশনারকে বিশেষ ক্ষযতা দেয়া হয়েছে। এ দেবার আবশ্যকতা আছে, আমি তা বুঝি। কিন্তু 28Aতে যে কথা বলছেন যে কর্পোরেশন rule করতে পারবে, সেই rule অনুসারে কমিশনার চলবে। আমি এই বিল নিয়ে অনেক চিন্তা করেছি, এই বিলের বিভিন্ন clauseও আমি দেখেছি দেখে কোপাও এরকম rule suggest করতে পারিনি—বেখানে effective control আনা যাবে Commissionerএর উপর, যে কোন ruleই করা যাক না কেন কমিশনার ১১টার সময় আফিসে যাবেন, ৫টায় ফিরবেন—এই rule অবশ্য করা যায় কিন্তু এমন rule করা যাবে না যাতে কর্পোরেশন

(At this stage the blue light was lit.)

আমাকে আর একটু সময় না দিলে হবে না।

- Mr. SPEAKER: There are nine members belonging to your party and all of them want to speak. Unless you select somebody as the chief spokesman of your party I am helpless. I have given you half an hour. However, you must conclude your speech.
- Sj. CHARU CHANDRA BHANDARI: তারপর কমিশনারকে এতবড় করা হরেছে বে Councillorদের তার কাছে নত করা হরেছে; এমন বিধি পুণয়ন করা হরেছে out of vengeance; যে বিধি হচেচ এই যে Councillorsদের record দেবার ক্ষমতা পর্যান্ত হরণ করা হরেছে। Record তাঁরা দেবৃতে পারেন, কিন্ত Commissioner ইচ্ছা করলে তা নাও দেবাতে পারেন। এটাও এই বিলের র্থেয়া আছে। একটা কথা হয়ত বলবেন দু'টো জিনিঘ নিয়ে perpetual friction—Legislative head and Executive headdand Executive headdand Executive headdand হয়েছা হচেচ। এবং Commissionerকে Executive আর Corporationকে Legislative head করা হয়েছে। Executive সমন্ত ক্ষমতা managerএর হয়তে—তাঁকে Commissionerই বনুন আর Executive headই বনুন, বা ইচছা হয় বনুন। আমি যেটা বলছিলাম সেটা perfect system। এই systema Corporation appoint করবে on the recommendation of the State Government। এই appointment হবে ও বংসরের জন্য। এই planটা perfect করতে হলে Commissionerএর appointmentটা indefinite periodএর জন্য কর্মন এবং he must be responsible to the Corporation. Corporation থেকে যদি কুশাসন দূর করতে হয় তাহেলে তাঁকেই একমাত্র authority করা উচিত নয়। আপনারা একটা জিনিম করতে গিয়ে আরেকটা জিনিম করে ফেলেছেন। এর বারা ক্রিবের। Between the Commissioner and the Corporation একটা perpetual hostility থেকে বাবে।

ষিতীর কথা হচেছ, Commissionerএর বাহিনা কথানো বা বাড়ানোর ব্যাপার। তাঁর বাহিনার ব্যাপারে Corporationএর কোন ক্ষতা নাই। এই ব্যবস্থা হলে পরে Corporation চলতে পারে না। এবং আহ'লে

Corporation ৰাত্তবিক্ট একটা Governmentes departmente পরিণত হবে। আদি বলছি Government বলি council manager plan করতে চান তাহলে সেটাকেট perfect করার চেটা করন। রাইজন্ধ স্থার স্বরেক্রনাথ যে নালির তৈরী করেছিলেন তার সংভার সাধনকল্পে তাঁরা নিব গড়তে গিরে জন্ধ বিশেষ তৈরী করছেন।

- 81. DEBENDRA NATH SEN: Mr. Speaker, Sir, my motion for circulation has been ruled out of order perhaps for the reason that over this Bill a Select Committee sat and a Select Committee is supposed to be a cross-section of the public and since they as representatives of the public applied their mind on it and brought about changes, therefore there would be no sense in again sending the Bill for eliciting public opinion. Since then, Sir, I started looking into the personnel of the Select Committee. There are 17 persons in the Select Committee out of which 7 are from outside Calcutta—they have got no touch or connection with Calcutta.
- Mr. SPEAKER: Please do not criticise the members of the Select Committee.
- 8]. JYOTI BASU: He did not criticise the members—he was describing them.
  - 8]. DEBENDRA NATH SEN: I was describing their composition.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: A member is not allowed or entitled to criticise the members of the Select Committee.

- Mr. SPEAKER: So far as the Select Committee is concerned, I think it is the decision of the House. Therefore, you cannot criticise the decision of the House as to why a particular member has been admitted into the Select Committee.
- 8]. DEBENDRA NATH SEN; That is not my point. I have not said that a particular person should not have been taken or should have been taken. That is not at all my point. I was only trying to show that this Select Committee does not represent the cross-section of the public.
- Mr. SPEAKER: That is the decision of the House—you cannot criticise it.
- **8]. DEBENDRA NATH SEN:** On a point of privilege, Sir. This has been the convention.........
- Sj. J. C. GUPTA: On a point of order, Sir. My friend Sj. Debendra Nath Sen is going to scan the Select Committee personnel on the basis of an erroneous proposition that his amendment has been declared out of order because it was considered by 17 members of the Select Committee. I want to point out that it is under rule 60 of the Assembly Procedure Rules which prevents any circulation motion being moved in regard to a measure which has come out of a Select Committee. It is under that rule that Mr. Speaker has ruled it out of order. Therefore, the basis that as 17 members have reported and therefore the circulation motion has been ruled out is incorrect and is against the rules of this House.
- 8]. BIMAL COMAR CHOSE: The point at issue is whether it is permissible for a member to suggest that the members of the Select Committee of a particular Bill were not interested in the subject on which they reported. Sir, that is not a reflection on the members. Merely to say that on the Select Committee a certain group or party was not represented is something which is not out of order or to say that the representatives of

Calcutta who are affected or the rate-payers of Calcutta who are affected by this Bill were not represented in large number is something which, I submit, is not out of order.

- Mr. SPEAKER: I find that under rule 13 you cannot reflect on any determination of the Assembly except on a motion for amending or rescinding it. This House passed a resolution appointing a Select Committee. Necessarily, the moment you begin criticising that decision, you come under the mischief of this rule. I, therefore, cannot permit any reflection on the determination of the Assembly which formulated a Select Committee and the whole thing should not be discussed.
  - Sj. BIMAL COMAR CHOSE: It is not a reflection. Supposing I say—— Mr. SPEAKER: No, I cannot allow any discussion,
- Sj. DEBENDRA NATH SEN: Sir, I rise on a point of privilege. It has been the convention of this House, while appointing a Select Committee, to take members from the Opposition. I find no member from the Opposition............
- Mr. SPEAKER: Mr. Sen, this was a view which you could have put before the House when the matter was going to be decided, but now that the decision on the Select Committee has been made once, you cannot say that the decision of the House was wrong because it reflects upon the determination of the House. Therefore, I cannot allow it. You please go on with the Bill.
- 8j. DEBENDRA NATH SEN: All right, Sir. During this session of the Assembly, three very important Bills have been brought. Two of them are already passed into Acts—they are the Calcutta Tramways Bill and the West Bengal Security (Amendment) Bill—and the present Calcutta Municipal Bill we are discussing just now.
- The Hon'ble NIHARENDU DUTT-MAZUMDAR: That is known to all.
- 8j. DEBENDRA NATH SEN: Just to refresh your memory—just as you know everything that I am saying—and I think you will appreciate that.

The approach underlying all these three Bills reveal fully the tendencies which characterise this Ministry as nothing else. One tendency is that whenever the interests of the masses and the big capital are in conflict, sacrifice the former at the altar of the latter. The Calcutta Tramways Bill is an example of that. The other tendency is whenever there is an opportunity for curtailing the rights of the people or of any self-governing institutions, to seize that opportunity and curtail the rights and privileges in every way possible. These are the two broad tendencies which lie behind the approach between these three important Bills—the Security Amendment Bill and the Calcutta Municipal Bill, and—

- Mr. SPEAKER: Mr. Sen, the same rule applies in this case also. When a Bill has been passed, you should not refer to that in this connection.
- 8j. DEBENDRA NATH SEN: Sir, the Calcutta Municipal Bill is an example of the latter tendency.
- 8]. JYOTI BASU: On a point of privilege, Sir. You said just now that 'if a Bill is passed in this House, you cannot refer to that Bill'.

Mr. SPEAKER: It is not a point of privilege at all.

Sj. JYOTI BASU: On a point of information, Sir.

Mr. SPEAKER: I cannot give you any information at this stage. Yes, Mr. Sen.

8j. DEBENDRA NATH SEN: Sir, this Calcutta Municipal Bill may be said to be the parting kick at the rights and privileges of the people and their self-governing institutions of this Ministry which has throughout its period of existence for the last four years exerted nothing but a malign influence upon the life and culture of the people of West Bengal and on the rights and privileges of the citizens of Calcutta. Sir, this Bill is a retrograde one. It restricts the democratic rights of the Calcutta Corporation. It converts the Calcutta Corporation into a department of the Government. It wants to put the hands of the clock back by 30 years, when the Municipality had no rights, no power, was controlled by a Chairman acting in the interest of the foreign capitalists.

It seeks to undo the work of democratisation of the Calcutta Corporation begun so bravely, so brilliantly by Sir Surendra Nath. It barters away the City's Charter of Civic rights. Sir, is not Calcutta Corporation an object of pride for all of us? Has it not been a fortress for progressive forces in their struggle against Imperialistic domination, in their struggle against the League Ministry which acted as henchmen of that Imperialist Rule?

Can we forget that Desbandhu Chittaranjan was the first Mayor of the Calcutta Corporation and that in that capacity helped in the solidification and strengthening of the then surging revolutionery ferment in the country? Can we forget that Sri Subhas Chandra Bose, both as the Chief Executive Officer and Mayor of this proud national institution carried that revolutionery fervour into a higher pitch which broke out ultimately into a great revolutionery struggle beginning from 1942 and ending in 1947 resulting in the capitulation of imperialistic domination. Sir, we are, therefore, proud of the Institution. We want to preserve it, protect it; we want to see its power further strenghtened and further expanded. We won't tolerate any attempt to maim it, to cripple it and to annihilate it. But the purpose of this Bill is nothing else than to maim the existing Calcutta Corporation. It wants to cripple it and ultimately to annihilate it.

In Article 6 of this Bill the Comporation's supreme authority has been shattered and distributed into three component parts, namely, the Corporation, the Standing Committee, and the Commissioner. In place of one authority which we had up till now, we will now have three authorities ruling the same house. I shall go further and say that in essence, the Commissioner will be the supreme master, with a whipping rod treating the elected Councillors as mere school boys. Who will be this Commissioner? How will he be appointed? I will not dilate on those points. I will merely mention that he will be appointed by the State Government. I know the reply that will be given by the Chief Minister. He will say 'yes; he will be appointed by the State Government, but on the recommendation of the Public Service Commission'. We know, Sir, that it is a packed house. We know that all the recommendations of the Public Services Commission are not accepted by the Government and by this Ministry.

Mr. SPEAKER: Mr. Sen, you should not use the expression 'packed house' which is a reflection on the House itself.

Sj. BIMAL COMAR GHOSE: Sir, do you say that this expression 'packed house' is an unparliamentary expression?

Mr. SPEAKER: It affects the prestige of the House itself of which you are a component member. If you say that this House is a worthless house, because it is a packed house, I cannot permit you to use that expression.

8j. DEBENDRA NATH SEN: Sir, I referred as packed house not to this House but to the Public Service Commission. (The Hon'ble Rai Harendra Nath Chaudhuri: That was worse.) It is said that the Commissioner will be appointed by the State Government on the recommendation of the Public Services Commission. What I wanted to say is that it is a packed body and that not all the recommendations of that body are accepted by this Ministry. Article 22(1) gives us an entirely new and really interesting point. It says that the Commissioner may be Civil or Military Officer, and the introduction of the word 'military' creates a great apprehension in our mind. And why? The present Ministry, incompetent and corrupt as it is, evinces an inordinate desire for power and still greater desire for its retention and further extension. Now, Sir, that can be done in one of the three ways-either creating a mass support, or through military aid or through nepotism and corruption. There is no other way of retaining power and further extending it. Popular support this Ministry has not got. None of the Ministers can dare face the public and audience not only in Calcutta and its suburbs, but anywhere in West Bengal. It will be said that the Muslims are its supporters. But what percentage of the population of West Bengal are Muslims? Election took place in a constituency which was a communal consituency and which had a communal electorate. But was a communal consituency and which had a communal electorate. But what percentage of Muslims do form part of our total population of 2 and a half crores. If the Muslim friends have voted for the Congress, they have voted not out of love but out of fear. Sir, with a view to retain its power, they should adopt one of the three ways. Popular support they have not got. Up till now they have been taking advantage of the second medium—nepotism and corruption. But to-day we find a third method introduced in this Bill and that is the introduction of the word "military" so that the Chief Executive Officer or the Municipal Commissioner of Calcutta may be a military officer. That really creates great apprehensions in our minds and our apprehension deepens all the more because we hear think that there is some relationship between this rumour and the introduction of the word "military" in this Bill. We have never seen such a thing introduced in any of the Bills up-till-now. Sir, as I was saying, one of the tendencies underlying the approach to this Bill is that whenever you find an opportunity to curb the democrtic rights of the people or of selfgoverning institutions that opportunity has been taken to curb them.

In 1948 the citizens of Calcutta rose in a body against the Corporation and against the corruption that had become rampant there. That rising was not because the constitution of the corporation was bad, not because the constitution was defective but because the men at the helm of affairs were found wanting and naturally the people demanded purging of undesirable elements and they demanded punishment for those big persons who were guilty of non-payment of Corporation taxes. They demanded rectification of the condition under which the properties of the rich were being undervalued. They demanded a check upon nepotism, in the matter of appointments and in the distribution of contracts. They never demanded guillotine of the present constitution. They never contemplated a curtailment of the existing democratic rights of the Corporation. Rather they demanded

more and more democratic rights for the Corporation and for the ratepayers. The Corporation is under supersession for a long time now and through this Bill the government want to put into effect their own dark and nefarious proposals and are seeking to take away the already existing democratic rights of the ratepayers in respect of the Calcutta Corporation. (At this stage the blue light was lit) Mr. Speaker, Sir, I cannot finish in such a short time.

Mr. SPEAKER: As yet you have not come to the provisions of the Bill. 25 minutes have already elapsed. Will you please come to deal with the Bill and the provisions thereof?

81. DEBENDRA NATH SEN: The Government wanted to utilise the popular upheaval raised by the people of Calcutta at one time against the corruption prevalent in the Corporation to achieve their dark and nefarious purposes through the supersession of the Corporation and now through this Bill. First they appointed an enquiry committee. Of course the public were to some extent satisfied but they did not know then that they would be deceived like this when they see the horrible provisions of this Bill. As has been pointed out by my friend Sri Bimal Comar Ghose to some extent have the recommendations of the Enquiry Committee appointed by this Ministry and that are relevant and feasible been incorporated in this Bill? I say not a single one. Taking advantage of the popular upheaval raised against the Corporation then, the Government without sending this Bill for circulation to elicit public opinion, are now seeking to achieve their own ends which are not desirable from the public point of view. Six fundamental issues are involved while considering this Calcutta Municipal Bill. The first one is-Should the democratic rights of the Calcutta Corporation be curtailed on the ground of purging the Corporation of the corruption that existed there, or in more general terms, is good government a substitute for self-government? This is the first fundamental and basic issue which will have to be considered. The second one is-What should be the franchise for municipal bodies, not merely for Calcutta municipality but for all municipalities? Should it be adult franchise or restricted franchise? The third one is—How to combine the efficiency of administration with democracy in municipal bodies? This is also a problem which will have to be deeply considered while considering the provisions of this Bill. In other words, how to adjust the legislative function of the municipal bodies with the executive or administrative function of it? The fourth one is-What should be the nature and extent of State interference in municipal spheres? The fifth is-How to eradicate corruption? The last one is-What should be the level of taxes for the Corporation of Calcutta? Out of these six issues only the last one, namely, the determination of the level of taxes is of special value to Calcutta. All the rest are issues which concern the municipalities throughout the world and the world democratic forces struggling through ages have given the verdict upon those issues on the basis of hardearned experience. The benefits and experience of the past are before us. We have got before us the experience of the United Kingdom, of the United States of America and of other municipalities in our own country. Even the Enquiry Committee set up by this Ministry have also given its verdict on these issues. But the Ministers ignore all of them. I should say that the betraval is complete now. Let us take these issues one by one. Is good government a substitute for self-government? It never is and it has never been accepted. It cuts at the root of our very Constitution of the Indian Republic and therefore I would not dilate on this point any more. Even the Enquiry Committee has suggested that good government cannot be a substitute for selfgovernment and with a view to have good government we must expand

democracy more and more to the fullest extent giving the people adult franchise. As the time at my disposal is very short I shall not dilate on this issue also. The next issue is—What should be the franchise for municipal bodies, adult franchise or restricted franchise? It is not the concern of us only. Everybody has had his say on this issue and the Enquiry Committee also has had its say on this issue and they have suggested adult franchise but in this bill only limited franchise has been allowed. There is one thing strange here, Sir. That is why it is strange that this Ministry through its agent, the then Administrative Officer of the Calcutta Corporation, sent a note to the Enquiry Commission protesting against the introduction of adult franchise and whatever the arguments advanced in that note the arguments were of two sets. One was that because there are buffalo khatals all over the city which is a standing disgrace, therefore adult franchise should not be introduced. The other was because there are starving men and women in the streets of Calcutta and because they dare die on the footpath, therefore adult franchise should not be introduced. There is another argument that the present uncertainty in politics is not likely to produce the best type of Councillors on the basis of adult franchise. Sir, this sounds astounding. The present uncertainty in politics does not stand in the way of introduction of adult franchise for Parliament, for State Legislatures and it does not prevent best men from coming into those bodies.

(At this stage the red light was on.)

Sir, will you give me a few more minutes to speak?

Mr. SPEAKER: Mr. Sen, you have spoken for about half an hour and I cannot give you any more time. You must stop now. The position is that I cannot extend the consideration discussion to go on till tomorrow. You are all dealing with the same subject of Government control over the machinery of the Corporation. It a party consists of eight or nine members the ordinary procedure is that one or two speakers take the most of the time and other speakers touch upon one or two minor points. I have tried to give as much time as possible to the opposition but it is exceedingly difficult for me to extend any further time. I have had a discussion with the whip of the opposition on that question.

8j. JYOTI BASU: Sir, we discussed a point of order for five minutes in the course of the speech of Mr. Sen. So in fairness to him he should be given another five minutes.

Mr. SPEAKER: All right, I give him five minutes more.

8]. DEBENDRA NATH SEN: Sir, it has been said that the best men would not come if there is adult franchise. Sir, I do not agree, for if the franchise is restricted it gives scope for designing persons to come in. The franchise up till now has been so limited that the percentage of population on the voters' list in 1924 was 7.86 per cent, and in 1944 it came down to 3.36 per cent. With the franchise slightly extended as in this Bill this percentage is not going to show any improvement. Is not this then a mockery? Only three per cent. of the population coming to be registered as voters! In Calcutta we have got about 30 lakks of people and out of that only 3 per cent. have been enfranchised as voters and yet the Chief Minister comes here and says that he is going to give us democracy in the Corporation! It is, however, this small number of electors who give the scope for men like our Chief Minister and of his ilk to come in and crearhavoc. Sir, is it not a fact that the Chief Minister had been dominating the Calcutta Corporation since 1924 right up to 1944 with occasional intervalsThe Hon'ble Dr. SIDHAN CHANDRA ROY: As a matter of information 1 may inform my friend that I went there in 1930 and not in 1924 as he says. That is wrong.

# SJ. DEBENDRA NATH SEN: Thank you for the correction.

Therefore since 1930 there has been a systematic deterioration in the Calcutta Corporation. The remedy against corruption, against the coming in of interested persons lies in our opinion in the people coming into the picture. In the picturesque words of Sir Surendra Nath "the divine gift of self-government has in it the seeds of its own preservation and self-correction"

Sir, if the present Ministry is corrupt, if its officers are corrupt, then what is the guarantee that an officer appointed by this Ministry for the Calcutta Corporation who will be paid by the Calcutta Corporation will be above corruption?

I shall now raise the general principle as to what should be the amount and extent of the State Government's interference into municipal affairs and there I find that in every country this is the accepted practice not to interfere with the administration of municipal bodies. But here in this Bill interference is at every step. Even this Ministry and the State Government will have the right to send for officers without informing the Calcutta Corporation and inspect and condemn the account books and every other thing with impunity.

Sir, I will now try to conclude. Every legislation, particularly a legislation of such a nature as the present one is, goes to mould and shape the character of the people concerned. Want of responsibility in the Corporation will imperceptibly render our people to become callous and indifferent to civic sense and responsibility. If therefore this Bill is allowed to become an Act and if that Act is allowed to operate, then West Bengal already physically maimed and crippled will suffer a moral degradation of a colossal nature and posterity will hold this Ministry responsible for that

8]. J. C. CUPTA: Mr. Speaker, I have listened with great interest to the speeches that have been made in this House. I may say that my friends Sj. Bimal Comar Ghose and Sj. Charu Chandra Bhandari have very clearly pointed out to this House what led to the supersession of the Calcutta Corporation. The supersession, they have already said, was a popular demand, and when the supersession came the public also approved of it. Then the Investigation Commission was appointed whose report has been referred to. You have heard, Sir, that the Investigation Commission reported that the noble edifice of self-government had been destroyed by those who were elected, who were given powers and who had all the authority that democracy warranted according to Sir Surendranath. They have further said that the Council Manager-the Chief Executive Officer—as has already been mentioned, by constant interference was reduced to a state of subservience. Therefore, it was the recommendation of the Investigation Commission that some way should be found out to remedy this state of things in this big institution. When the Bill was first introduced, it was thought that a Commissioner should be made wholly independent of the Corporation in order not to be put in a state of subserviency. It was therefore proposed that a Commissioner should be appointed by the State Government. The Commissioner will not have to go and canvas votes from the Councillors for the purpose of obtaining his employment and continuing therein. Now, the Select Committee, as you know. Sir, considered this matter. The Select Committee was impressed with the recommendation by the Investigation Commission that the Chief

Executive Officer—the Commissioner—ought not to be placed in a helpless position or in an awkward position as has been reported by that Commission and therefore it proposed that he should be made independent but his selection would be made on the recommendation of the Public Service Commission.

Sir, there is one thing which I have been wondering and that is as to why my friends here have criticised this power taken by the Government. After all, if I have understood them aright, they firmly believe that a Government which will come into existence on the result of adult franchise will be a different Government from what it is today. If I remember aright, my friends are sure that they will be in the Treasury Benches and not the present set of Ministers. Under those circumstances if they sincerely believe this, much of the argument that they have advanced losses its force because the Government which will come in less than 4 months or 6 months' time would be a Government elected on adult franchise. I do not think any of us can say that a Government which will be constituted after an election no adult franchise cannot be depended upon to discharge their duties to the satisfaction of the masses in accordance with the popular wishes. I, therefore, as I have already said, wondered why so much is being made out of the provision that the Commissioner will be appointed on the recommendation of the Public Service Commission by the Government, because according to the recommendation of the Investigation Commission the critics who have spoken on the other side also desired that that state of things which made the Chief Executive Officer subservient should not be allowed to exist or continue.

Sir, we know what has happened; we know that though we were given very side powers under the Act of Sir Surendranath which was in advance of all the other provinces, we ourselves have to admit that it was our conduct which has brought about this pass and we have got to remedy that state of things. Therefore, a Commissioner who is selected by the Public Service Commission and appointed by a Government which will be elected on adult franchise ought not to be a target of so much criticism.

Sir, some of the speakers who have criticised apparently have not studied the important changes introduced by the Select Committee. You will find, Sir, that the Commissioner has not been made an independent and autocratic authority. There are sections which have been introduced which leave no doubt that it is the intention of the Bill now to make the Commissioner conform to the rules and regulations laid down by the Corporation. The Corporation has the unfettered right to lay down the policy of civic government, the Corporation has the unfettered right to lay down the procedure that should be followed by the Commissioner and the Standing Committee, and under those circumstances I think particularly those who swear by the Investigation Commissioner's report are making too much of a provision without much justification. What happened was this. The Investigation Commission found that the Chief Executive Officer could not carry on his duties independently in the best interest of the ratepayers because the Councillors were not responsible enough, they were not honest enough to work in the interest of the rate-payers putting aside their personal interests. The Chief Executive Officer, whose pay, promotion and service depended upon the Corporation consisting of such members who did not know how to properly exercise the great franchise that was given by Sir' Surendranath was made subservient.

Therefore it has been necessary to have a Commissioner who will not have to go to the councillors for the purpose of getting himself appointed, who will not have constantly to think of the councillors and how to please

them or appease them always and neglect his ordinary duties. 'But at the same time in the changes made by the Select Committee you will find, Sir, that the councillors will have a right to demand removal of the commissioner. First of all, it was said that three-fourths majority was necessary, but the Select Committee has said "No. A majority vote will remove him. You must have also seen that an amendment has been tabled, because somebody said that though two-thirds of the councillors must attend the meeting and a resolution passed by a bare majority would secure the removal, that right may be abused and one-third may be kept away. So we have already tabled an amendment that a bare majority will be able to remove the commissioner. Though the commissioner is selected by the Public Service Commission, though his appointment will be made by the State Government without having had to go to the councillors to canvas for his appointment if he does not behave properly, a simple majority of 38 votes out of 75 ment if he does not behave properly, a simple majority of so votes do of the will get him out of that job. That would not be making the commissioner an independent authority. That is not for making the commissioner subservient to the Corporation. You will also find, Sir, that two things have been laid down very clearly in the amendments by the Select Committee to set the whole matter at rest. First of all, "in exercising his powers and performing his duties and functions under this Act, the Commissioner shall conform to such rules, if any, as may be made by the Corporation relating to matters in respect of such powers, duties and functions." We have in another place said: "The Standing Committees and the Commissioner shall be bound by and shall give effect to every resolution of the Corporation such resolution is annulled by the State Government or unless such resolution relates to a matter in which, under the provisions of this Act or the rules, by-laws and regulations made thereunder, the decision of a Standing Committee or the Commissioner, as the case may be, is final." What has been done in this Bill is that in the performance of his statutory day to day functions the Bill contemplates that there should not be interference by the councillors and others who may be trying to get him to do things which ought not to be done in the interest of rate-payers.

Now, Sir, it has been said that the basis behind the Bill is the control of the Government on the Calcutta Corporation, and the Commissioner is the ultimate authority. I do not think on going through the provisions that have been introduced this could be said justly. It has been said that it is dvarchy. Well, Sir, after I have read the entire new provisions introduced by the Select Committee, I fail to see how it can be characterised as a dyarchy. My friend Sj. Charu Chandra Bhandari rightly pointed outprevent the interference with the day to day administration of the Chief Executive Officer; prevent the difficulties that the Chief Executive Officer felt on account of the influence that were brought to bear upon him, but do not make him supreme.' I say, Sir, that he has not been made supreme. What the Investigation Commission wanted, what Sj. Charu Chandra Bhandari has advocated, that is exactly what has been provided. The commissioner must conform to the rules and regulations laid down regarding the exercise of his powers, and these are laid down by the Corporation. Sir, everybody would like that in a city like Calcutta we should have a set of councillors who will know their duties and responsibilities who will lay down what is best for the rate-payers, and who would expect that the Commissioner should carry out those functions, those powers and duties. If a person is selected by the Public Service Commission and is appointed by the Government, who may not answer to these qualities, who may not serve the rate-payers in the way that the Investigation Committee desired the Chief Executive Officer to serve, the Corporation is being given a right to remove him. I am sure if my friends will make a referendum to the ratepayers of Calcutta who have got such a stake in the proper administration

of this city (Sj. Hemanta Kumar Bose: We are ready.) they will welcome it. (Cries of "question" from the Opposition benches.) I am prepared to have any meeting and to put this question before them as to whether they want the day to day administration of the Corporation to be run without interference by interested or self-seeking councillors, or they want the administrative authority to work according to the policy laid down by the Corporation-a policy laid down in the Corporation by the councillors as a whole and not by some councillors going into the room of the commissioner and pressing him to do this or that. If my friend Sj. Jvoti Basu thinks that after the next election these people will not be in the Treasury benches, he ought not to raise any objection to any of the provisions or any of the powers reserved by Government, but if he thinks that though he says so it will not be so as a matter of fact, then only I can understand his vehement objection to any power being given by this Assembly. May I repeat, Sir, no matter who form the Government next time, whoever it is, whether it be Sj. Jyoti Basu's party or it be Dr. P. C. Ghosh's party, they will be elected on adult franchise, and if the Congress party is returned again I am afraid nobedy will have a right to question their authority to administer the State, and the State has also got certain important duties towards the Corporation. You know, Sir, that nowadays the Corporation and the State must work harmoniously. You must not have any conflict, and you cannot expect a Corporation to run independently and in perpetual conflict with the State Government. Therefore too much emphasis is being laid on the point that the officer will be appointed by the Government and that it will be a department of the Government. It will not be a department of the Government, because you will find, Sir, that everywhere it has been laid down that the Corporation is the supreme authority to lay down the policy and define the rules and regulations according to which the commissioner will run the administration. I am afraid, Sir, that most of my friends are thinking of the original draft Bill circulated to them. They possibly have not had time to look into the very effective changes that have been brought about to set at rest that three independent authorities are being constituted here. They possibly had not the time to look into the very effective changes that have been brought about to set at rest the allegation that three independent authorities are being constituted here. Then there has been some criticism that the franchise has not been enlarged to the extent it should have been. I have been one of those who have always pleaded for that. When my friend Sri Annada Prosad Chowdhury was the Minister in-charge of Local Self-Government Department and when he was bringing in the Calcutta Municipal Amendment Bill I approached him and asked him whether he could not introduce adult franchise in the Calcutta Corporation. He explained the difficulties involved and so I could not succeed. Now also I find another difficulty and that is in regard to the floating population of Calcutta whether they should be given voting rights and whether the ratepayers of Calcutta would allow that and would agree to the representatives of the floating population to have a voice in the administration of the Corporation paid for and run hitherto by the ratepayers through their accredited representatives. I am afraid that is a question which is not beyond controversy. At any rate as I have already said I did plead with the former Minister-in-charge of Local Self-Government Department for the introduction of adult franchise in municipal elections. I pleaded in the same manner with the present Minister also but then I cannot brush aside the reasons that he has put forward as lightly as my friends on the other side intend to do. However I would request that my friends sitting opposite should, while the clauses of the Bill are before them, make constructive suggestions wherever improvement is desired. (Dr. Suresh Chandra Banerji: Even constructive suggestions are not accepted). Why not? If you descend from the general line of criticising

the government in everything that they bring forward for the sake of criticism and point out the defects in the particular provisions of the Bill that you think are defective and suggest alternative constructive provisions which are in the interests of the ratepayers I am sure that they will receive due consideration at the hands of the government and by this House and will be accepted by the House if they are necessary and important. I do not believe that with a strong Opposition functioning in a democratic form of Government the government can afford to brush aside the Opposition's reasonable views. This is how I feel in the matter. I would like the House to go into the clauses of the Bill as they come up and make their suggestions and I am sure if there is anything in them which would improve the Bill it will be accepted by the Treasury Benches. (Applause from the Government Benches).

### Adjornment,

The House was then adjourned at 7-20 p.m. till 3 p.m. on Friday, the 28th September, 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 28th September, 1951, at 3 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 12 Hon'ble Ministers and 61 members.

### Want of quorum.

Sj. KANAI LAL DE: Sir, there is no quorum.

Mr. SPEAKER: Yes, there is.

8j. SIBNATH BANERJEE: क्लब्स्न quorum स्व !

Mr. SPEAKER: Ten.

Sj. SIBNATH BANERJEE: কোন Act অনুবারে।
Mr. SPEAKER: Under the Constitution Act.

### STARRED OUESTIONS

(to which oral answers were given)

### Diversion of lands from paddy to jute in the year 1950-51

- \*24. Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state—
  - (a) the total paddy-growing area that has been converted to grow cash crops such as jute, sugar or cotton in the year 1950-51;
  - (b) the total production of paddy in 1950-51;
  - (c) how the production of paddy in 1950-51 compares with that of the previous year;
    - (d) whether the State is self-sufficient in paddy; and
    - (e) if not, what steps, if any, have been taken or proposed to be taken for attaining self-sufficiency in paddy?

MINISTER in charge of the ACRICULTURE DEPARTMENT (the Hon'ble Prafulla Chandra Sen): (a) An area of 152,000 acres was diverted from paddy to jute in 1950-51 but owing to drought and other causes jute was damaged on a portion of this area which was subsequently sown with aman.

No land is reported to have been diverted from paddy to sugar, cotton or any other cash crops.

(b) The total production of paddy in 1950-51 was 5,865,800 tons.

- (c) In the previous year the total production of paddy was 5,522,400 tons so that there was an increase in the production of paddy by 6.22 per cent. in 1950-51.
  - (d) The State is not self-sufficient in paddy.
- (e) Various measures such as reclamation of waste land, provision of manures, irrigation facilities, better seeds, etc., have been adopted to increase the production of cereals including paddy in this State in pursuance of the Government of India's policy to attain self-sufficiency.
- Dr. SURE8H CHANDRA BANERJI: মাননীয় মন্ত্রীবহাশয় বলবেন কি গত ৪ বংসরে কত পতিত জমির সংস্কারসাধন করা হয়েছে ?

The Hon'ble PRAFULLA CHANDRA SEN: এই প্রশ্নের সংগে এর কোন সম্পর্ক নাই, তবে আপনি যদি জানতে চান তবে নোটিশ দিন।

8j. DEBENDRA NATH SEN: With reference to reply (d) will the Hon'ble Minister be pleased to state the total amount of maunds of rice required for making West Bengal self-sufficient?

The Hon'ble PRAFULLA CHANDRA SEN: It is about 38 lakhs of tons in terms of rice, not in terms of paddy.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state how many maunds of paddy are required for making West Bengal self-sufficient?

The Hon'ble PRAFULLA CHANDRA SEN:  $38~{\rm lakhs}~{\rm plus}~19~{\rm lakhs}$  of tons.

8j. HARIPADA CHATTERJEE: মাননীয় মন্ত্রীমহাশয় বলবেন কি কত জমি দবকাব হবে এই বাদ্য উৎপাদন করবার জন্য ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: সেটা নির্ভব করে জমিব উপর।

The Hon'ble PRAFULLA CHANDRA SEN: That depends on the field. But even without increasing the acreage we can get about 70 lakhs of tons of paddy by increasing the field per acre.

8J. HARIPADA CHATTERJEE: মাননীয় মন্ত্রীমহাশ্ম অবগত আছেন কি যে, শতকব৷ ১০ ভাগ কলন বাড়ানে৷ হলেই আমরা বাদ্য সম্বন্ধে স্বয়ংসম্পূর্ণ হতে পাবি ৷

The Hon'ble PRAFULLA CHANDRA SEN: এই প্রসন্ধ এখানে উঠে না, ভবে বাননীয় সদস্যেব অবগতিব জন্য বলতে পাবি যে, পশ্চিম বঙ্গে শতকবা ১০ ভাগ বাড়ালেই আমবা kelf-sufficient হতে পাবব।

8j. DEBENDRA NATH SEN: In view of the reply given that 57 lakhs of tons of paddy would be sufficient to make West Bengal relf-sufficient and the last year's produce, as shown, is 58 lakhs of tons, will the Hon'ble Minister be pleased to state whether there is any deficiency still now and how it is that prices are rising?

The Hon'ble PRAFULLA CHANDRA 8EN: The Hon'ble Member will kindly deduct 8 lakhs or 6 lakhs tons which is required for seed and wastage.

8j. HARIPADA CHATŢERJEE: বাননীয় মন্ত্রীবহাণীয় এখানে বললেন যে, due to drought বান ও পাটের বিশেষ করে বুব ক্ষতি হয়েছে, বছ জায়গায় জলের জভাবে জাগা-দেওয়া পাট নট হয়েছে এটা তিনি বিশাস করবেন কি ?

The Hon'ble PRAFULLA GHANDRA SEN: এ প্রশু এখানে উঠে আ। মাননীয় সদস্যোর অবগতির জন্য বলছি কিছু নই হয়েছিল বটে, তবে সম্প্রতি যে ব্যবদা হয়েছে তাতে ধুব অস্মবিধা হবে না।

Sj. HARIPADA CHATTERJEE: বাননীয় ষত্তীমহাণয় এই কথা বিশাস করবেন কি বে, আমি নদীয়া, মুশিদাবাদ জেলা বুরে নিজেব চোখে দেখে এসেছি হাজার হাজার বিষা জমি জলের অভাবে অনাবাদী পড়ে আছে ?

The Hon'ble PRAFULLA CHANDRA SEN: ঠিক কথা কিছু অস্থবিধা ছয়েছিলঃ আকাশের অবস্থা তাল না থাকলে অস্থবিধা হয়।

# Theft cases within Panihati Municipality, police-station Khardah, 24-Parganas

- \*25. 8j. RATANLAL BRAHMIN: (a) Will the Hon'ble Minister in charge of the Home Department be pleased to state—
  - (i) total number of thefts and burglaries that occurred within Panihati Municipal area within the jurisdiction of Khardah police-station during the period from the 1st January, 1950, to the 31st March, 1951;
  - (n) if so, in how many of the cases—
    - (1) culprits have been rounded up, and
    - (2) stolen articles have been recovered;
  - (iii) whether police staff have been increased in the new set-up of administration in the same police-station including all the outposts under the police-station;
  - (iv) if so, to what extent;
  - (r) if it is a fact that—
    - (1) thefts and burglaries increase in this area during the summer and rainy seasons, and
    - (2) a theft occurred on the night of 13th/14th April, 1951, within Ghola ward of the same Municipality and police constables were on patrol duty in the same area on the same night; and
  - (r) whether any one of the police staff was found entangled in any theft case that occurred within the same Municipal area during the last four years?
- (b) If the reply to (a) is in the affirmative, will the Hon'ble Minister consider the desirability of taking steps to round up suspected criminals and goondas under the provisions of the Acts in order to stop recurrence of thefts in the area?

# MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (a)(i) Ordinary thefts—22, burglaries—77.

- (ii) The culprits were rounded up in 13 cases (five cases of ordinary theft and eight cases of burglary). Stolen articles were recovered in all the 13 cases.
  - (iii) Yes.

- (iv) A chart showing the old strength and the new set-up strength of Khardah police-station and the outposts under this police-station is laid on the Table.
  - (v) (1) Yes.
- (2) No theft occurred on the night of 13th and 14th April, 1951. The area comprises three police beats, and a police patrol party was on patrol duty in one of the beats.
  - (vi) No.
- (b) All possible steps are being taken to round up suspected criminals in order to stop recurrence of thefts in this area.

### Statement referred to in reply to clause (a) (iv) of starred question No. 25

	Sub- Inspector.	Town Sub- Inspector.	Assistant Sub- Inspector.	Head constable.	Con- stable.
Khardah police-station-	 •	•	•		
Old strength	 2		1		8
New set-up strength	 5		5		16
Khardah outpost—					
Old strength	 	1		2	18
New set-up strength	 			2	23
Panihati outpost-					
Old strength	 			2	16
New set-up strength	 		••	2	29
Sodepur outpost—					
Old strength	 			2	12
New set-up strength	 ••	• •	••	2	17

N.B.—The actual strength is not up to the sanctioned strength yet owing to vacancies in the force due to paucity of trained officers and men and owing to limited training facilities.

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is a matter of opinion.

8]. DEBENDRA NATH SEN: I am asking for the Hon'ble Minister's opinion. I am not giving my opinion.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have stated the facts. The honourable member may form his own opinion.

**<sup>8</sup>j. DEBENDRA NATH SEN:** With reference to reply (a)(i) and (ii), will the Hon'ble Minister be pleased to state whether the efficiency of the police officials concerned is proved by the fact that out of 99 cases, only 13 cases have been detected?

## UNSTARRED QUESTION

### (answer to which was laid on the table)

### Assessment of agricultural income-tax

- 8. Sj. PRAMATHA NATH BANDYOPADHYAY: (a) Will the Hon'ble Minister in charge of the Finance Department be pleased to state the criteria taken into account by Government in the assessment of agricultural income-tax?
  - (b) Will the Hon'ble Minister be pleased to state-
    - (i) if it is a fact that agricultural income-tax is assessed on the sale of paddy at controlled rate of Rs.7-8 per maund during certain months of the year and at Rs.15 per maund during the rest of the year:
    - (ii) if so, the reasons thereof;
  - (iii) if it is a fact that no consideration is made on the chalan for sale of paddy at controlled rate of Rs.7-8 per maund when it is produced after the scheduled months for assessment on sale at controlled rate;
  - (iv) if so, the reason thereof;
  - (v) if it is a fact that no Tribunal has been set up up till now for hearing agricultural income-tax appeals;
  - (vi) if so, the reasons thereof; and
  - (vii) the number of cases, if any, pending for appeal?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Nalini Ranjan Sarker): (a) Assessment of agricultural income-tax is made in accordance with the provisions of Chapter II of the Bengal Agricultural Income-tax Act, 1944, read with the Schedule to the Act.

- (b) (i) No. Apart from the Government procurement rate there is no controlled rate for sale of paddy. Assessment is made on the basis of the actual price realised and, where the produce has not been sold, on the basis of the average prevailing price in the respective localities.
  - (ii) and (vi) Do not arise.
- (iii) and (iv) The question is not clear. The assessment for any taxyear is made on the basis of the income of the previous year. If a part of the produce of the previous year remains unsold at the end of that year, the value of the unsold portion is calculated in accordance with the market rates prevailing in the locality in that year, irrespective of the price at which it may subsequently be sold.
  - (v) No. A Tribunal has been functioning since the 28th June, 1947.
- (vii) Seventy-eight appeal cases were pending before the Tribunal on the 14th September, 1951.

### Point of privilege.

Sj. SIBNATH BANERJEE: On a point of privilege, Sir, বারাসাতে বে ৬ কন hunger strike করেছে তার বব্যে বুজন শ্রীনতী কাদধিনী বে ও শ্রীনতী জনুদকণা চটোপাব্যারের অবস্থা

ৰুব ৰারাপ ব'লে আমি একটা adjournment motion দিয়েছিলান, কিন্ত আপনি দেটা refuse করেছেন। এই Housed আসবার ৩ মিনিট আগে এটা আমার হস্তগত হয়েছে। কথা হচেছ, আগে বলা হয়েছিল এনিয়ে একটা debate ও statement হবে; এবন কিন্ত ক্ষেমটাই হল না। আমি পুৰানমন্ত্ৰীনহাশ্যকে জিন্তাসা করতে ইচছা করি আমরাও other methods এব কথা ভাবতে আরম্ভ করব কিনা ? আমাদের আর উপায় কি? আমরা এখানে discuss করে আমাদের বন্ধকা—

- Mr. SPEAKER: You need not comment upon it. Please do not refer to extraneous matters.
- 8], SIBNATH BANERJEE: আপনি censent দিলেও এবা যদি ৰাধা দিতে পাবেন তবে আমরাও point of order তুলে discuss করতে পারি।
- Mr. SPEAKER: It is a very simple question. You can ask me as to why I have refused my consent. There is no question of privilege here. You will remember that whenever consent is refused, it is only as a matter of concession that this question is even touched upon in this House. It is not a matter of privilege. I considered the adjournment motion very carefully and I came to the conclusion that in view of the policy regarding adjournment motions which I have consistently followed, it would not be possible for me to give consent to this adjournment motion. I may mention here that the rise in price has become a very chronic affair and so far as hunger-strike is concerned, that has also become a matter of very common occurrence. It on account of the rise in the price of food, hunger-strike takes place and the ordinary business of the House is interrupted, it may be that today here is a hunger-strike, tomorrow in another place there will be a hunger-strike and on the third day there will be a hunger-strike at a third place. The result will be that if I consent to an adjournment motion on this ground, the business of the Assembly cannot be proceeded with at all. I have already stated and I repeat once more that adjournment motions disturb the business of the House which has been pre-arranged and it can · be allowed only in very extraordinary circumstances. I have every sympathy for the objective which the motion desires to bring to the notice of the Government. I also hope that this matter must receive the attention of the Government. I, therefore, have not seen my way to give my consent to the adjournment motion and this matter should not any further be alluded to.
  - 8j. DEBENDRA NATH SEN: Sir, I would like to make one submission......
  - Mr. SPEAKER: Mr. Sen, if you wish to point out anything, I shall be very glad to see you in my chamber. It is a very painful duty for the Chair to refuse his consent, but he has to exercise his discretion with due regard to the business of the House.
  - 8]. DEBENDRA NATH SEN: We submit to your decision, but one point really embarrasses us. If hunger-strikes and other things have become common, what is the normal course for us to discuss this matter in this Assembly?
  - Mr. SPEAKER: I understand your difficulty and if you will be pleased to discuss this matter with me in my chamber, I shall very much welcome it. If I am convinced that a particular course other than the course which is being followed should be followed, it will give me pleasure to pursue that course. But you cannot take up the time of the House in further discussing this matter.

- 8j. HEMANTA KUMAR MASU: Sir, I want to submit-
- Mr. SPEAKER: Mr. Basu, am very sorry I cannot allow any discussion.
- 8j. HEMANTA KUMAR BASU: I want to submit that the food situation in the country is very serious. If you will allow a non-official day, then we can at least discuss the situation.
  - Mr. SPEAKER: I am very sorry I cannot permit further discussion.
  - Sj. DEBENDRA NATH SEN: On a point of order-
- Mr. SPEAKER: There has been nothing on which a point of order can be raised.
- 8j. DEBENDRA NATH SEN: The point of order arises out of the fact that one of the questions submitted by me was disallowed by you. I was looking into the rules——
- Mr. SPEAKER: Disallowance of questions can be referred to in my chamber instead of discussing in the House and you cannot raise a point of order on this.
- 8j. DEBENDRA NATH SEN: On a point of privilege, Sir. Under the rules you disallowed this question and such disallowance has become very frequent this session. So, we would like to have a discussion and we would like to know your point of view in this matter. Two of my questions have been disallowed and the last question that has been disallowed refers to the Tramways Company.
- Mr. SPEAKER: I have understood your point. These are really not questions of privilege but questions of administration and questions of administration need not be referred to in the House unless and until they are of a very serious nature.
  - Now, we take up the Calcutta Municipal Bill-
- 8j. SIBNATH BANERJEE: Sir. I have been trying to make my submission but other friends are standing up and because of my illness and weakness I could not shout as usual and I could not catch your eye.
- Mr. SPEAKER: If you want to discuss what I have stated, I am sorry I cannot allow it.
- Sj. SIBNATH BANERJEE: I am not discussing that. I do not want to discuss your refusal of the adjournment motion. As a matter of privilege, I wanted to submit that the situation is such that something has to be done—
  - Mr. SPEAKER: It is not a question of privilege.
- 8j. SIBNATH BANERJEE: Sir, chamber is not the place to make such submissions. It is the House where we are to make our submissions. We feel our privileges are being taken away.
- Mr. SPEAKER: I may direct you that all matters relating to the administration of the office should be referred to me in my chamber where I can give a hearing. Only exceptional matters may be referred to here.
- **SJ. SIBNATH BANERJEE:** It is not administration of office that I am discussing. I am discussing my difficulty and my privilege.
- Mr. SPEAKER: If you wish to discuss any matter, the ordinary procedure is that the Leader of the House is allowed to mention such matters

or they are mentioned with the consent of the Speaker given beforehand—that you wish to mention a particular matter in the House. Otherwise the business of the House cannot be carried on.

8J. HARIPADA CHATTERJEE: The food situation is a serious matter—

Mr. 8PEAKER: Order please.

8]. HARIPADA CHATTERJEE: That cannot be referred to in the Chamber. The food situation is much more important, much more valuable than—

Mr. SPEAKER: Order please. We now take up the Calcutta Municipal Bill.

- **8j. HARIPADA CHATTERJEE:** We want to discuss that situation with the Government.
- 8j. 81BNATH BANERJEE: I want to put a question through you to the Leader of the House. Is he going to give us—

Mr. SPEAKER: I have already called the Calcutta Municipal Bill.

, 8]. SIBNATH BANERJEE: I shall take only half a minute.

Mr. SPEAKER: I am sorry I cannot allow it.

- 8]. SIBNATH BANERJEE: Is the Leader of the House going to-
- 8j. HARIPADA CHATTERJEE: The food situation is very serious—people are starving outside. We must discuss it. We are representing our constituencies here. The food situation is very serious and Government must discuss that matter here.
- **8J. SIBNATH BANERJEE:** Today is a non-official day—why should there be official business today?

Mr. SPEAKER: Order, order.

- 8j. HARIPADA CHATTERJEE: Every time you disallow it. Then why are we here.
- 8j. 8iBNATH BANERJEE: There should be non-official business today and no official business. Our privileges are being trampled upon. You are the custodian of the minorities, but you do not listen to us.
- Mr. SPEAKER: I ask for your explanation, Mr. Banerjee, as to why you have defied the Chair's ruling.
- 8j. SIBNATH BANERJEE: Sir, how did I defy your ruling? You were hammering the table all the time and I was thumping the table also.
- Mr. SPEAKER: The position is this. I have been standing and I have been hammering in order to restore order in the House. I have been requesting you to take your seat, but in spite of that you go on saying things. If you, Mr. Banerjee, do not obey the Chair, I cannot expect anybody else to obey it. While the Speaker is standing and he is asking you to desist from speaking, you are going on. Is it possible to maintain order in the House in the circumstances? I again appeal to you that the decorum of the House ought to be maintained however grave the situation may be.

- Dr. 8URE8H CHANDRA BANERJI: বি: শীকাব, স্যাব, বর্ত্তবাদে বেশের খাষ্য-পরিছিতি বুব সকটজনক হয়ে পড়েছে। এই সুম্পর্কে আবরা করেকটা বুলতবী প্রথাব পেশ করেছিলাব, কিছু আপনি তার কেনটাতেই খীকৃতি বেন নি।
- Mr. SPEAKER: Order please. You are the Leader of a party and you are entitled to have a patient hearing. Please do not introduce this matter now.
- Dr. SURESH CHANDRA BANERJI: I am speaking on a point of privilege, Sir. The food situation is serious—
- SJ. HARIPADA CHATTERJEE: If it is not a sham House, then we must discuss this—
- Dr. SURESH CHANDRA BANERJI: আমাকে এক মিনিট বলতে দিন। স্যার, এই সম্পর্কে গতর্পবেশ্টেব একটা বিবৃতি দেওয়ার কথা ছিল, আমি জানতে চাই এই সম্বন্ধে আমাদের discussion করতে দেবেন, কি না দেবেন। ব্যবস্থা পবিষদেব বৈঠক শেষ হয়ে আসছে। দেশে বাদ্যপরিস্থিতি অভ্যন্ত গুৰুত্ব অথচ সে বিষয়ে আলোচনা করবার স্থযোগ আমবা পেলাম না। আপেনি যদি এই বক্ষ stiff attitude নেন, তাহলে আমরা বিরোধীদনের মেষরেবা আমাদেব দায়িত্ব কি করে পালন করি ?
- Mr. SPEAKER: If you call it a sham House, it is derogatory to the House itself.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Outrageous.

Mr. SPEAKER: It may be sham; it may be good, it may be whatever it is. Every member of the House is there and if any member thinks it to be a sham House, then it is better that he should get out of the House, but I will not permit any remark by any member which is derogatory to the House itself.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: This should be expunged.

8j. HARIPADA CHATTERJEE: Sir, I have not said that this is a Sham House. I have said "if it is not a sham House, then we must discuss the food situation".

Mr. SPEAKER: The question is-

(The Hon'ble Dr. Bidhan Chandra Roy stood in his seat.)

I think the Leader of the House wants to make a statement.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, you can pass on to the business of the House.

- Dr. SURESH CHANDRA BANERJI: (In a point of information, Sir, আমাদের একটি প্রভাব ছিল্ non-official resolution about the food situation, কিছু এখনও পর্যন্ত সেই পুভাব সম্ভে আলোচনার দিন ধার্য হল না। Food situation সম্পর্কে adjournment motionও আমবা move করতে পারলাম না। গভর্ণমেপ্টের একটা statement করবার কথা ছিল, তাও তাঁরা কপলেন না। তাই আমি Leader of the Opposition হয়ে আপেনার কাছে জানতে চাই, এমন একটা শুকুতর অবস্থা সম্ভে আলোচনা করবার স্কুযোগ আমরা পাব কিনা ? এবং যদি পাই তাইলে করে এবং কর্মন পারো ?
- Mr. SPEAKER: So far as this matter is concerned, you have brought it to the notice of Government and I will also communicate this to Government, and the matter will be decided by Government. So far as statement is concerned, I may point out to you that had any statement been made

in the House, then this would be the proper time for you to make a demand for discussion. That question does not arise at all. You have sufficiently drawn the attention of the Government to the food situation and it is now for the Government to consider as to what should be done in the circumstances. Now we should go on with the business of the House.

Sj. HEMANTA KUMAR BASU: আনালের non-official day দেবার কথা ছিল, সেটা কি হ'ল ? সেটা যদি ঠিক করে দেন, তাহ'লে আমরা food situation সম্বন্ধে আলোচনা করতে পারব।

Mr. SPEAKER: I am trying to have some non-official day during this session.

8j. DEBENDRA NATH SEN: Not a Sunday, Sir.

### COVERNMENT BILL.

### The Calcutta Municipal Bill, 1951.

- 8]. JYOTI BASU: Mr. Speaker, Sir, at the outset I cannot but disapprove of the way in which this Bill has been brought before us by the Hon'ble Chief Minister, because, Sir, I find not only in this instance, but in other instances as well that the Hon'ble Chief Minister usurps the functions of most of the other Ministers in this House. Now in this case it is all the more serious because the Minister in charge of the Local Self-Government was present throughout in the sittings of the Select Committee, but he did not preside over its functions, and today also when the Bill is being introduced in this House, it is being done not by the Minister-incharge of the Department but by some other Minister. I would not have minded it in ordinary circumstances, but. Sir, we have found that this is not the first time that such a thing has happened. To me the conclusion is clear and that is that we have to pay for some of the Ministers in order to satisfy the group politics within the Congress party, not because we really need Ministers or because they are efficient. That is the only conclusion that I can draw from the way in which this Bill is introduced by the Chief Minister whose job it is certainly not to discuss everything and anything concerning all departments. If he does the job, then we will be happy. The tax-payers will be happy to pay him money for doing that job. But why should we pay others who cannot even do their jobs? Similarly, we have found that the Hon'ble Finance Minister is absent in the House for such a long time. His duty is also placed on the shoulder of the Chief Minister.
  - Mr. SPEAKER: That is irrelevant for the purpose of this Bill.
- **3j. JYOTI BASU:** It is very relevant because the tax-payers' money is being spent.
  - Mr. SPEAKER: But that is not the issue here.
- 8j. JYOTI BASU: Sir, I said that this Bill has been introduced by somebody who is not in charge of the department concerned.
- Mr. SPEAKER: It has been introduced in this House by the Government. It does not matter who has introduced it. Please try to be relevant.
- 8j. JYOTI BASU: Sir, how it has happened that though the Minister-in-charge of the Bill was present in the Select Committee, he did not become the Chairman.
- Mr. SPEAKER: That matter is now finished. You come to the Bill and not to the Select Committee.

8]. JYOTI BASU: Sir, now I will go on to the second point. A lot has been mentioned about the mismanagement in the Calcutta Corporation, but not for once have I heard either the Hon'ble Chief Minister or the other Members sitting opposite in the Congress benches talking or explaining to us as to who were the people, which was the party, which was the group or groups that are responsible for corruption and jobbery inside the Calcutta Corporation. Who were the people who have sullied the name of the Calcutta Corporation throughout India. To me, Sir, the answer is clear. The people who today are introducing this new Municipal Bill before us, the groups, the men and individuals inside the Congress party-they have sullied the name of the Corporation and they are responsible for inefficiency, jobbery, corruption and whatever is there inside the Corporation. Now today when they sit in the Government benches, when they occupy the Ministerial portfolios, they come back to us and they tell us that because there was so much corruption, because the Corporation administration would not work, because the policy of the Corporation was defective and so on and so forth, therefore, we have to introduce a new Bill for at least good Government, if not wholly for self-government within the Corporation. But, Sir, I for one am one of those who do not believe that the same set of people who were responsible for all that has been done so far inside the Corporation for the last few years can bring before us a Bill which will be really useful for the people and will serve the interests of the people. Therefore, Sir, I support the suggestion which was made by Sri Bimal Comar Ghose yesterday that we shall stop at the Consideration stage of this Bill and give some time both to the ratepayers and to others who are interested in the affairs of the Corporation so that suitable amendments might be suggested by them at a later stage. At least sufficient time should be given to them. I think the Government should at least accept this moderate suggestion which was made yesterday. I, Sir, like the other members who spoke from this side of the House, am opposed to the Bill even in the form it has emerged as a result of the deliberations of a Select Committee because I, like others on this side of the House, feel that this Bill is contrary to the principles of Local Self-Government. I teel that it goes against the concept of democracy as we understand it. An attempt is being made through the provisions of this Bill to obliterate the historic fight that the people of the then Bengal put up against the British Imperialists for the attainment of Local Self-Government. It is certainly known to the Hon'ble the Chief Minister and his supporters that at that time it was through the struggle of the people of Calcutta and of Bengal that a foreign Government in power then was compelled to concede certain rights of Local Self-Government to the people of Calcutta. At that time the people thought that it was a great anti-Imperialist victory, that it was a glorious struggle of the Indian people for freedom. Today unfortunately having our own Government, a Government of the Indian people as the Congress often refers to it, such a Government is unable to preserve those same rights which had been won by our forefathers at an earlier time. This authoritarian principle which has been introduced in this Bill is nothing new because it is in line with that obtaining everywhere under Congress Governments because we find that the Congress Governments throughout the States and in the Centre as well, are afraid to give the elementary democratic rights to the people. They are afraid to concede democracy to the people because the Congress Government feels that the people no longer stand by the Congress Government, because they feel that the people will not tolerate its rule any longer and the more the Congress Government feels so the more authoritarian and undemocratic it becomes. The Congress Government here has seen in the municipal elections in Howrah, Burdwan, Chandernagore and other places how the ground is moving from under their feet.

Mr. SPEAKER: That is all irrelevant to the Bill under discussion.

- sj. JYOTI BASU: If that is irrelevant, Sir, I do not know what is relevant in this House. I thought, Sir, that was very relevant because I was trying to explain why the Congress Government has become authoritarian and hence how it has brought forward a Bill like this, which is authoritarian and undemocratic in character. One of the reasons I was trying to show was that the Congress has seen within recent months in the municipal elections in Howrah, Burdwan, Chandernagore and other places the verdict of the people against Congress, even on the very limited franchise that they enjoyed at present. I do not know, Sir, why you said that such reference was irrelevant to the subject under discussion. To me it is very relevant.
- Mr. SPEAKER: Though it is not necessary to explain the reasons still I will explain it in short. May I ask what has that got to do with the Bill before us, namely as to who has come into power in the election in Howrah and other places? The reasons for bringing forward this Bill are there and the provisions are there and if you do not approve of some provisions you can make suggestions that such and such provision should be like this.
- 8]. JYOTI BASU: It is not as easy as that, Sir. You might not have forgotten, Sir, that this is a one party government, and that party is the Congress party. It has lost in almost all the elections held for the municipalities, and therefore it has a bearing on the subject which we are discussing in this House and therefore I think I am not out of point when I discussed that aspect. It may not be to the liking of some people but is will certainly be appreciated by the people outside, the thousands and millions of people outside.
- Janab MD. KHUDA BUKHSH: On a point of order, Sir. Are the remarks made on the floor of the House meant for the people outside or meant for the honourable members of this House?
- Mr. SPEAKER: As a matter of fact, incidentally, it goes to the press, but, primarily it is meant for the House and the remarks are made with a view to canvassing the opinion of the other members, who may be opposed to the opinion expressed by the member speaking, in his favour. It is one of the cardinal principles of debate that when a member of the House speaks he should not presume that what he says will not be attended to by the other side or by the majority party and that it will go to the wilderness but he should presume that by his arguments he would be able to convince the other side. That is the ideal of debate and that is the parliamentary practice. Therefore I say that the debate should be directed to convincing this House primarily. As a matter of fact I have looked into the history of the publication of the Parliamentary Debates and at one stage in England it was regarded as a breach of the privilege of the House to publish a report of the proceedings of the House in the papers and I find even now that it is only by the sufferance of the House that the press is allowed access to the parliamentary debates and is allowed to publish the proceedings and not under any express order allowing the publishing of all these things in the newspapers. Therefore I again say that whatever remarks are made in the House must be made with a view to satisfy the House itself though incidentally it goes to the public outside through the press.
- 8]. JYOTI BASU: What you say is true and I am trying—probably in vain—to satisfy the members on the other side. All the same I am still trying to convince certain members about the points I am making out. At the same time, as you have just now said,—I am glad you have also said so—that the people in England and all over the world have seen to it that

the reports of the proceedings in legislatures are published in the press because the public are very much interested to know what the elected representatives of the people are doing inside the legislatures. However, I shall go on with my speech now. Therefore, Sir, the Government which has brought forward this Bill feels that, if such a thing happened to Calcutta, then, Calcutta Corporation would go out of its clutches and as a result the Government might be in trouble. Therefore they are ensuring from beforehand that the Government should have the fullest authority as far as the Calcutta Corporation was concerned. They feel that although the British Government might have conceded certain rights to the citizens of Calcutta they the Congress Government cannot do it now. During vesterday's debate Sri J. C. Gupta made out a very important point. Pointing to the Opposition members Sri J. C. Gupta asked why should the Opposition be afraid of the powers of the Commissioner and why should the Opposition object to the appointment of the Commissioner by the State Government because, if after the elections on adult franchise a popular Government of their expectation comes into existence, then that popular Government will appoint a Commissioner of their liking. Sir, that is exactly the point. If a popular Government comes into existence, then that popular Government would have no need to fear the democratic rights of the people and would say let the elected representatives of the people inside the Corporation appoint their own Commissioner. They would not hedge in their powers and they would not control them from the Writers' Buildings. So there would not be any fundamental conflict between the people who will be in the Writers' Buildings and the people who will be inside the Corporation. We are not hypocritical when we mention this thing. We say if a popular Government comes into being it would never try to interfere too much with the affairs of the Corporation like appointing the Commissioner and other officers of the Corporation, as is being sought to be done through this Bill, by means of the Municipal Public Service Commission or the State Public Service Commission, or by the Government. If we were hypocritical, then it could be said that merely for the sake of agitation and propaganda we were making our proposals about the appointment of the Commissioner and that later if we came to power we would also do the same thing as is perhaps being sought to be done by the Congress Government now. But, Sir, I say, no. We feel that a popular Government shall never have to fear the rights of the people and they will grant the people their elementary rights. Sir, if the British Government could do that, I for one do not see why a popular Government could not do it.

Sir, I would not go into the details of the appointment of the Commissioner of the Calcutta Corporation because much was said yesterday and much more will be said when we discuss the clauses of the Bill. But I have not yet got an explanation from the Minister who has placed this Bill before us as to what would have been the harm if the Commissioner were appointed by the Calcutta Corporation itself without the interference of the State Government. Sir, why should we fear the Calcutta Corporation Councillors? If the Government depends on the elected representatives of the people, then why is this fear that the Councillors of the Calcutta Corporation would do something which would adversely affect the interests of the people? But, Sir, a second point was made out when Sj. J. C. Gupta said that in the past the experience had been that the Calcutta Corporation had been controlled most of the time by the Congress and that during that period there had been a lot of canvassing and that the Chief Executive Officer had been influenced one way or the other and he had been interfered with one way or the other by the Councillors of the Corporation who were Congressmen. I know, Sir, there was more of that kind of corruption in the Calcutta Corporation. But then our suggestion is that the Calcutta Corporation Councillors should be elected on adult franchise and if still the corruption continues, then nothing can be done. You cannot because of that give a go-bye to democracy and rule in an autocratic and authoritarian way. Nothing can then be done. If we cannot depend on the people and have faith in the people, I am sure nothing can be done. Therefore, I mention about this adult franchise that no case has been made out as to why adult franchise has been denied to us in this Bill which is before as. Sir, one point is that there is a lot of floating population in Calcutta. Now, are they in such a huge number that these people—the floating population or a part of it—if enlisted as voters, would be able to flood the Corporation and become a majority inside the Corporation? I think this reason which was given yesterday is no reason at all. These people—the floating population—are the residents and inhabitants of Calcutta, and if there is a residential qualification with a time factor, I am sure the floating population can be eliminated. Then again is it only the city of Calcutta in the whole of India where such a floating population exists? Is there no floating population in Bombay? Is Calcutta the only place? And then what is the number of this floating population—that also has got to be mentioned by Sj. J. C. Gupta. Anyway it is a flimsy ground. The main point is that this Government is afraid of the verdict of the people, and that is why the franchise has to be limited. I think that is the only point and there is no other point with regard to this.

Sir, I have found on reading the different provisions of the Bill that apart from the question of the authoritarian way of appointment of the Commissioner and other chief officers of the Corporation, with regard to the employees a lot of stringent measures have been suggested. In a provision the Government have talked about the dismissal and punishment of the employees for disciplinary reasons, for employees for disciplinary reasons, carelessness and for other reasons, but nowhere do we find in this Bill that the Government suggest that the employees-20 or 24 thousand of them-should be given a basic minimum living wage. Nowhere in the Bill they say that, but clause after clause they have worded in such a way that if a particular individual is careless, if a particular individual is indisciplined, his services may be dispensed with, or he may be fined, or some such thing may happen. I think, Sir, this again is surely rot conducive to a democratic method of rule. I know discipline must be maintained, but what about his living wage? We have had enough experience of such words as carelessness and indiscipline. I think if such words are put there, that should be properly defined and also as to what maximum punishment could be given to the employees. But this Bill is not concerned with thousands and thousands of employees and workers of the Calcutta Corporation. With regard to the mehtars it has been suggested that if they are to be absent from their work they must give a written notice beforehand. It means to me that if they go on strike, they will be thrown out of their job and they will be fined and they will be sent to prison. Sir, these provisions are carefully worded, but nothing is said about the living wage of the poor employees. They cannot stop work even if they are not paid minimum living wages. Not a word, nothing of the sort is there. Their trade union rights are not protected. Sir, such is the nature of this Bill in this respect.

Then with regard to the taxation policy, Sir, something has been said on this side. I find on calculation that in the Calcutta Corporation the greater part of the income comes from consolidated rates.

(At this stage the blue light was lit.)

I think I need a little more time. As I said I cannot finish so soon.

- Mr. SPEAKER: I cannot help. After all I gave the whole of yesterday to the Opposition.
  - 8j. JYOTI BASU: But my time was wasted by talking.
- Mr. SPEAKER: For that I shall certainly consider. Please try to finish.
- 8j. JYOTI BASU: Any way I shall try to finish but if the thing goes on in this manner it is very difficult for us to finish our speeches because we are called to order by you ten times during our speeches.
- Mr. SPEAKER: Mr. Basu, you are certainly bound to be called to order if you are out of order. As a matter of fact, if I were really to call you to order I think I shall have to remain standing and you will also remain standing. My difficulty is I have to intervene if it is irrelevant and that entails a discussion. The moment I will say it is irrelevant you will say it is relevant. So instead of calling upon you on the question of relevancy I allow you some latitude.
- **Sj. JYOTI BASU:** With all respects to you, I would suggest to you in that case as we have been delivering speeches from this side of the House, without your being very careful about listening to our speeches you should give us a little more indulgence as you are doing at other times.
- Mr. SPEAKER: My difficulty is I again have to go into discussion. We have got a Bill before this House consisting of 600 clauses.
  - Sj. JYOTI BASU: .. What can be done?
- Mr. SPEAKER: Time has to be found. The point is it is for the Speaker to control the time, it is not for me to find time. Now, it you say that you are entitled to go on it becomes very difficult. I have been giving as much latitude as possible. The whole of yesterday was devoted to discussion given to the Opposition. You have got to be a bit accommodating in this matter. It a member is going to repeat the same argument it is difficult but if he does not want to repeat he can finish it.
  - 8j. BIMAL COMAR CHOSE: Sir, if I may-
  - Mr. SPEAKER: I do not want to discuss it.
- 8j. JYOTI BASU: We can appreciate your difficulty but the Government brings in a Bill with 600 clauses just before the Pujas. The Puja holidays are coming and your difficulty is because there is lack of time you will press on us to be short and precise and do all sorts of things. My difficulty is why the Government have suddenly taken it into their head to bring such a Bill before the Pujas and want to finish it.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Have you understood anything?

8j. JYOTI BASU: I have understood a lot. I do not know why the Government have brought this Bill and want to rush it through.

As I was saying I find that most of the income of the Corporation is derived from consolidated rates. It means that the householders are mostly adversely affected because of this and despite many recommendations made at different times by the Tribunal and so forth, the Government have not thought it fit to find out whether there are any other ways of augmenting the income of the Calcutta Corporation. For instance, a part of the Sales Tax could have been given to the Calcutta Corporation and I believe that with regard to the Motor Vehicles Tax also a fixed sum is being given

to the Calcutta Corporation but the income has gone up by leaps and bounds and that is all being taken away by the Government. I know the Government needs money for its police and other things, but then the tax-payers have to pay double because of this wrong policy of the Government with regard to the Tramway Company, with regard to the Electric Company. They have to pay paltry sums to the Calcutta Corporation. I believe the Tramway Company have not to pay more than Rs. 70,000 or Rs. 80,000 per year to the Calcutta Corporation. Similarly, the Electric Supply Corporation only have to pay a tax of about Rs. 1,000 or so and this also was considered to be large enough and it has recently been decreased. If the Government had gone into this aspect of the thing, if they had studied what is done in Bombay or in other Corporations which are also run by the Congress party, then, Sir, in that case they could even learn from them, let alone from what we are saying here today, but the Government do not think of doing it. They are more interested to see that the tax-payers are to pay double, treble the amount but they do not find out any other way of augmenting the resources of the Calcutta Corporation. Recently after the Corporation was taken over by the Government, over 30 lakhs of rupees. I think, has been raised from the rate-payers. At that time also the Government said that the houses were under-valued and so on. It may be that many of the houses were under-valued but then the householders cannot meet that. That aspect is also there. The popular Government should think of other means of augmenting the income of the Calcutta Corporation but our Government does not think that it can be done. That is the difficulty with regard to the taxation policy which has also been enumerated in this particular Bill and I am absolutely opposed to what has been mentioned here with regard to taxation policy of the Government,

Lastly, Sir, before I sit down I would like to mention one other thing and that is with regard to these 600 clauses of the Bill. Sir, there are innumerable details in this Bill with regard to every aspect of the matter but, Sir, you have just now said that you cannot help it because the time is the Government's time and since they have brought this Bill at the last moment we must curtail the speeches and find out the time. But I would suggest if such a Bill is to be passed—I know Government will pass it through sheer majority-we should have a thorough discussion on all the main clauses of the Bill and hence sufficient time should be given to us to discuss those clauses which we cannot discuss now at this stage of the Bill and for that if need be we have to sit for a long time even after the Pujas. It does not matter if they do not finish this before the Pujas and if the General Election intervenes they may leave it at that. After the General Election the new House may take up the Bill and pass it if it so wishes. I think we should not do it in a hurry and pass it before March next year. We are not in a hurry to see anything happen to Calcutta Corporation. We do not expect anything to happen either because of this Bill or through this Bill specially as long as this Government is in power, and therefore, Sir, that is my last suggestion. Let this authoritarian, this undemocratic Government go and next year we can continue to consider this Bill and before that we should go on considering as much as possible but should stop before it is finally passed.

Mr. SPEAKER: You can amend this Bill. Many Bills having larger number of clauses and involving more intricate questions have been passed. I had given sufficient time to the Opposition to discuss those Bills.

Janab MD. KHUDA BUKHSH: Mr. Speaker, Sir, the noble edifice of Local Self-Government that was erected by the lifetime effort and toil of the late Surendranath of revered memory was crumbling to pieces through the wilful neglect of those who were placed as the custodian of

that edifice. What this Bill seeks to do is to restore that noble edifice to its former glory. Sir, it has been suggested by the other side that the very party that now constitutes Government was also in power in the Corporation. That is neither here nor there. It has been repeatedly told that self-seeking Councillors who got through devious and unworthy methods into the Corporation did utilise their position and their influence in the Corporation to their own advantage to the detriment of the interests of the rate-payers.

Sir, the party that is now in power in the Government and who are so eager and anxious to clear the augean stable that was in the Corporation in the past have not been able for a very good and practical reason to do so. My friends who are now in the Opposition they also then belonged or were part and parcel of the national organisation which was the Indian National Congress. They used also to fight against the alien Government in every front along with the Congress and stood shoulder to shoulder with it. It was for practical reasons inconvenient to pick holes in the administration of the Corporation, because it was felt, and very rightly so, that that might be used as a handle to denounce the capability, the honesty and integrity of Indians in matters of Self-Government. Now those gentlemen who now constitute the Government they know exactly what was happening inside the Corporation and, Sir, they have come forward to restore the Corporation to that place of honour which should rightfully belong to the biggest and most important Self-Governing units in the province.

What the councillors did when they got elected to the Corporation is known to everyone—how they evaded payment of taxes and how they used their influence for their own betterment and to secure their own ends is known to everybody. If it had not been known, if the country had not approved of this, they would have opposed the supersession of the Corporation by the Government. In fact, Sir, I then constituted the Opposition when the Government brought in a measure for supersession of the Corporation. Nowhere have I seen that a single person disapproved of that measure of the Government. Even today, Sir, representations have been sent to me as a member of the legislature by different civic bodies by different organisations. Nowhere have I seen that the Bill has been condemned in toto. Certain criticisms have been made. It is everybody's right and duty to make constructive criticisms for the purpose of suggesting improvements to the Bill. Many such criticisms have been accepted by the Select Committee, and many more, I can assure my friends, will be accepted by the sponsors of the Bill.

Sir, an honourable friend opposite criticised the Select Committee. I shall only make a passing reference to it. I cannot find anything wrong in the constitution of the Select Committee, and I find that persons inside the legislature who were most intimately connected with the affairs of the Corporation were in the Select Committee. As many as three ex-Mayors of the Corporation were in the Select Committee, and I do not understand how the personnel—

- 8J. DEBENDRA NATH SEN: On a point of order, Sir. Are you allowing the honourable member to criticise the composition of the Select Committee? He is doing so.
- Mr. SPEAKER: Mr. Khuda Bukhsh, you need not refer to the composition of the Select Committee.

Janab MD. KHUDA BUKHSH: All right, Sir. I bow down to your ruling. In fact, Sir, the gravamen of their charge against the Government is about the appointment of the commissioner (Sj. Debendra Nath Sen: It is.) and an honourable member has gone so far as to characterise

the State Public Service Commission as a "packed house". I should have thought that he would immediately withdraw that remark and he would have at least apologised for that. If we can rightly call the State Public Service Commission as a packed house I do not see any reason why we caunot also call the benches of the Hon ble High Court a packed house, because the Hon ble Judges of the High Court are appointed by the Government, but we do not insinuate that after the appointment has been made the Hon'ble Judges of the High Court will permit themselves to be influenced in any manner by the Government. Similarly, when the State Public Service Commission is appointed by the Government they are an autonomous body and an independent body. It will be an insinuation, and an uncharitable insinuation to make, that the State Public Service Commission has permitted itself to be influenced in any manner in the selection of candidates by Government. Therefore, we should not be so uncharitable to our own men. After all, we have to run the administration with the help of our own men, and if we are to condemn the State Public Service Commission or anybody for that matter who is appointed by the Government as liable to influence or as liable to be called a packed house, I do not see how our friends can hope and aspire for recognition some day. I am sure it is not going to be realised. Sir, they also hope, and it is their ambition and dream to come and govern this country. But how are they going to do it if they have no confidence in the men of their own choice. (Sj. Debendra Nath Sen: We have no chosen men.)

An honourable friend has also brought in the question of Muslim votes. He has gone so far as to insult the political consciousness and sagacity of Muslim voters. He has suggested—again a most uncharitable and unwarranted suggestion—that Muslims have voted out of fear.

8j. JYOTI BASU: Sir, my only request to you is to listen to that.

Mr. SPEAKER: Is it worth while? (Laughter.)

Janab MD. KHUDA BUKHSH: Sir, I find that we have honourable members in this House who think that they can advise the Chair as to its duty.

Mr. SPEAKER: They are entitled to do so.

Janab MD. KHUDA BUKH8H: As I was saying, Sir, I repeat that Muslims are politically quite as conscious as my honourable friends opposite. They know what is to their interest. They know what they should do today in the altered circumstances consequent upon the recent happenings. (Sj. Debendra Nath Sen: They come to know that through you.) Sir, I have not heard it and I do not want to hear. Again, Sir, they have objected to the power of Government officials—I think it is section 42. I may be wrong, but I mean the provision for Government officers to go to the Corporation and inspect its records. If my honourable friends had taken the trouble to look up the old Bill, they would have found that the same provision was there, and very rightly so. The Corporation is being divided into three authorities which would act harmoniously. The State Government has an over-all responsibility, and the State Government had and has this responsibility; and it cannot, even if it desires to divest itself of that responsibility of supervising the working and function of self-governing institutions, far less the premier self-governing institution in Calcutta.

Sir, my friend Sj. Debendra Nath Sen has said that the electorates are still communal and the country should not go by the verdict of the communal electorates. Sir, I should remind my friend Sj. Sen that it was I and members of this House who shared my views opposed any reservation of

seats on communal grounds and we also opposed reservation of seats for Muslims because we do not want to be characterised as a religious minority but want to merge ourselves into the body politic of the nation. I therefore suggested and carried in the House a resolution that there should be no reservation for the Muslims. Another thing has been criticised and that is regarding franchise. Yesterday Sj. J. C. Gupta spoke on that point. He had made it abundantly clear that there was a large section even in this House who want the introduction of universal adult franchise, but it was not possible for, among other reasons, the practical reason that electoral rolls have been prepared on a certain basis. It was, I think, Sj. Sibnath Banerjee who suggested that the electoral rolls prepared for the general election to the Assembly might be used for the Corporation election. I must point out that there are certain rules laid down that the electoral rolls prepared for the Legislature cannot be used for the Corporation, as you have to take everything in toto and not in part. But, Sir, I think he need not be perturbed over this question of franchise. As it is it is good enough. If the next House thinks that the franchise is not enough they can bring in an amendment to amend that particular clause relating to the franchise without altering the body of the Bill at all and they can have adult franchise.

Sir, another point has been made. I think there has been needless apprehension expressed by the Opposition that enough and adequate discussion of the provisions of the Bill will not be allowed. Sir, the Opposition anticipate unreal things. They have said that sufficient discussion was not allowed by the Chair over the Bills that have been passed in this House in this session. Sir, they need not be apprehensive of the Chair not allowing adequate discussion on this Bill. They should have reliance on the discretion of the Chair, on the fairness and sense of justice of the Chair. I think by expressing their apprehension on the floor of the House they made needless and unwarranted reflections on the Chair.

**Sj. SIBNATH BANERJEE:** Sir, the last 5 minutes' speech of the honourable member has been in praise of you and as such it is irrelevant and I think it should be expunged (laughter).

Janab MUDASSIR HOSSAIN: Mr. Speaker, Sir, I have closely followed the speeches delivered by my learned friends sitting to the east and their speeches have convinced me that "west is west and east is east and the twain shall never meet". The purpose of my learned friends opposite is as there is a Bengali proverb "এৱা যে হাওয়ার গৰায় কাঁগ্ৰি লাগায়" There is nothing in their speech, there is no substance, but still they can throw noose around everybody's neck and deliver beautiful and thundering speeches. Sir, they began to hurl invectives against the devoted friends of the Ministers. You know, Sir, that abuses begin where arguments fail and that is why they have taken to abuses. By their abuses they want to convince every one outside as well as inside that they are all right and what the Ministers are doing is all wrong. (Sj. Debendra Nath Sen: What is in your case?) I never abused anybody. Sir, the Bill is a good Bill. Sir what is law? Law has been defined as the logic of experience, an experience alone shows what should be the provisions of law in regard to certain matters and again experience alone shows whether a law is to be amended or not. That is the principle by which a Legislature is to be guided. It has been said in the Quoran that foresight is the greatest gift to man and when a divine man makes a law it becomes immutable and cannot be changed but when legislation is made by human beings in a modern state, in a democratic state, laws are always liable to change according to the exigencies of the situation and time. That is the difference between Divine

Law and ordinary law. Quoranic law has been enunciated for the Muslim and script laws have been made for the Hindus by the Rishis who were taking i

Mr. SPEAKER: Please come to the Calcutta Municipal Bill.

Janab MUDASSIR HOSSAIN: Sir, this is perfectly relevant. I am preparing the background in support of the principles of the Bill and I must show that this Bill is not the Quoranic law or this is not the law made by Manu which were inspired laws and therefore immutable, which were made by farms and

That is why I want to support the Bill and therefore I beg to submit that I am perfectly relevant. The challenge which has been thrown and the objection which has been raised by my friends opposite that the autonomy of the Corporation has been destroyed by the present Bill and that by this Bill the Corporation will become a department of the Government—and that is the main object of the opposition, I am now going to controvert. Section 23 says, the municipal Government of Calcutta shall vest in the Corporation. It shall be the duty of the Corporation to consider all periodical statements of receipts and disbursements and all progress reports and pass such resolutions thereon as it thinks fit. The Standing Committees and the Commissioner shall be bound by and shall give effect to every resolution of the Corporation. Then section 25 says, the Corporation may provide from time to time, either wholly or partly, for all or any of the following matters:—

- (i) the planting and preservation of trees on public streets and public places;
- (ii) the construction, alteration, maintenance and adornment of public halls, offices and other buildings and ghats under the control of the Corporation or required for municipal purposes;
- (iii) the laying out and maintenance of squares, gardens and playgrounds, and the supplying and maintenance of equipment for games in playgrounds;
- (iv) the playing of music in squares, gardens or other public places;
- (v) the survey of buildings and lands, and the preparation and maintenance from time to time of survey maps and plans and of the records relating thereto;
- (vi) the construction and maintenance of hospitals, infirmaries, almshouses, asylums, orphanages, industrial schools and auxiliary homes for children and payment of contributions to them;
- (vii) the establishment, maintenance and administration of veterinary hospitals and dispensaries in Calcutta;
- (viii) the payment of contributions to the cost of such veterinary hospitals and dispensaries;
  - (ir) the payment of contributions towards any public fund raised for the relief of human sufferings within Calcutta;
  - (x) payment of contributions to charitable institutions in Calcutta for assisting in the disposal of unclaimed corpses and the burial or cremation of paupers;
- (xi) vaccination;
- (xii) the promotion of technical and industrial education;
- (xiii) assistance to schools in which persons employed on manual labour above the age specified in section 134 receive primary education and to tols, madrasahs and maktabs;

- (xiv) free libaries;
- (xv) the payment of, or the payment of a contribution to, the cost incurred on the occasion of any public ceremony or entertainment or any exhibition for the purpose of instruction or education, held in Calcutta;
- (xvi) the payment of contributions to the Commissioners of any neighbouring municipality for expediture on sanitary purposes, and so on and so forth.

Sir, these are the matters in regard to which full power of municipal Government is vested in the Corporation. Every resolution passed by the Corporation will be binding upon the Commissioner who will be appointed by Government and upon the Standing Committees with a view to giving effect to it. That is sufficient to indicate that full power with regard to civic matters has been vested in the Corporation and such provisions have been made in the Bill as would enable the Corporation to fulfil their obligations and discharge their responsibilities. In that view, Sir, where is the lacuna in the Bill and where can be any objection that all powers have been taken away from the Corporation? Quite a lot has been said about the abuse of power of this Legislature in its interference with the civic duties of the Corporation and about hurling of invectives upon the devoted heads of our Ministers who have taken such great pains to draft this excellent Bill.

With due regard to the appointment of Commissioner, although the Commissioner will be appointed by Government, he automatically becomes the servant of the Corporation and all resolutions and directions which the Corporation likes to make must be abided by, fulfulled and discharged by the Commissioner and if he refuses to do so, then it is within the power of the Corporation to call a meeting and declare him unfit and forward the same to Government with a recommendation for his discharge or dismissal. I need not go into the details of the Bill but experience shows that—(At this stage the member reached his time-limit and was allowed to conclude his speech.) Sir, I will conclude in two or three minutes and you have seen, Sir, I am not talking nonsense (laughter).

Past experience has shown that the powers vested in the Corporation by the Calcutta Municipal Act have been misused and abused and the Corporation authority of the past has been tried and proved conclusively not to be fit to hold that charge. In spite of all that, the power to run the affairs of this beautiful city has been vested in the Corporation under this Act. The only thing that has been safeguarded is that this Corporation being a creation of this Legislature, being a child of this Legislature,—and when it was found by 23 years' experience that those who were sitting over there in the Corporation, whether the Congress or the non-Congress or the Communist party, abused the power vested in them, it is the duty and responsibility of this Legislature to safeguard against those malpractices, those corrupt practices, the nepotism and jobbery so that there may be no recurrence of such things in future. It is for these reasons that some safeguards have been provided, that is, some supervisory power has been taken by Government. And what is the constitution of the present Government? It is your Government, it is a national Government. You may pretend that it is not a national Government but it is a Government elected by the representatives of the people and therefore it is a national Government. Therefore you must not suspect the Government as a criminal body. What they have done, they have done for the good of the country and for the good of this city.

Another point that has been raised is,—why rush through this Bill at the fag end of the life of this Legislature? It is well known that the Calcutta Corporation was superseded some three years back and extension after extension has been given to the life of that superseded Corporation. It is high time that the affairs of the Corporation should be put into the hands of the elected people and if the Chief Minister or the other Ministers did not take any steps to pass this Bill or to put this Bill on the legislative anvil, they would have shirked their duty. It would have been said that this matter is hanging fire for the last three or four years and still these Ministers are in office and they have done nothing. Therefore, they deserve our thanks, they deserve our congratulations and eternal thanks for the measure that they have taken for ameliorating the conditions of the people of the city. This Bill, therefore, should be passed with thunderous acclamation.

8j. SIBNATH BANERJEE: মাননীয় শীকাৰ মহোদয়, কলিকাতা Corporation স্বৰ্গীয় স্যাৰ सूरतक नाथ बल्लाशाया महागरात এको कीछि। जामना ज्ञानि এटन द्वरतक नाथरक Dr. Roy এकमा ভোট यक्त পরাজিত কবেছিলেন। কিন্তু এটা মনে রাখতে হবে দেশবন্ধু C. R. Das ভাব পেছনে ছিলেন। তাঁকে সেজনা অভিনন্ধন জানাই। কিন্তু Dr. Roy আজ যেটা করছেন তা তাব বাজনীতিক জীবনে সব চেয়ে বভ অপকীতি হিসেবে থেকে যাবে যতদিন না এই Act বাংলা দেশ থেকে অপসাবিত না হবে। স্যাব স্থারেক্স নাথের নাম কলিকাতা Corporationএর সঙ্গে জড়িত বলে আমরা গর্ব অনুভব করি। স্যাব স্থারেক্স নাথকৈ পরাজয় বরণ করতে হয়েছিল বটে কিন্তু তাব ফলে দেশবন্ধ চিত্তরন্তন যে কলিকাতা Corporation গড়ে তলেছিলেন তা ৰটিশ সামাজ্যবাদের বকে এাসেব সঞ্চার কবেছিল। কিন্তু আজকে যা কৰা হচেছ তাতে কলিকাতা Corporation একটা ধেলাব জিনিদ ছাড়া কিছুই হবে না এবং পুক্তপকে একটা Government Department এ পরিণত হবে। এই Corporation পবিচালনাৰ আসল ক্ষমতা Government নিযুক্ত বা nominated লোকের হাতে থাকবে এই জিনিমটা অতি পবিকাব, এবং আশা কবি Dr. Roy এটা অস্বীকার করতে পারবেন না। Dr. Roy বলেন বাংলা দেশেব লোক নাকি কংগ্রেসকে চায়। অবশ্য কলকাতার লোক কংপ্রেশের স্বন্ধপ চিনেছে। তারা সেটা electionএর হাবা দেখিয়েছে। তাই তিনি এমন একটা পাকাপাকি বলোবল কোৰে কেলবাৰ জনা বাধা হয়ে পড়েছেন যাতে ক্ষনতা হাতচাড়া না হয়। তিন ৰংসর আগে Government কলিকাতা Corporation হাতে নেয়। একবাৰ হাতে নিয়ে তাঁবা আর ছাডছেন না-এক এক বংগর কোরে extension কোরে চলেছেন। অনেক আগেই election কোরতে পারতেন, কিন্তু তাতে তাঁরা রাজী নন। ভাল কোরবেন এই অভ্যাতে কেবলই দিনেব পব দিন বাভিয়ে যাচেছন। এখন এই Assembly House একটা প্রকাও বভ বিল এনে আমাদেব তাড়াতাড়ি শেঘ কোবে দিতে বলছেন। সেদিন জে, সি, গুপ্ত মহাশয় বলেছিলেন যে কলিকাতাৰ জনসাধাৰণ এটা নিশ্চয চায়—চায় কি না একবাৰ পরীক। কোৰে দেখন না কেন ? জে, সি, গুপ্ত মহাশয় বা সৰকাৰ পকীয় অন্য কেট বলেছেন এখানে adult franchise হতে পারে না কারণ এখানে floating population ব্যেছে। কিন্ত investigation Commission কি বলেছেন জন্ন---

After mature reflection the Commissioners have come to the conclusion that the franchise for election to the Corporation of Calcutta should be extended as follows:—

Every person, male or female, who has attained the age of 21 years on a specified date shall be qualified as an elector in a constituency—

- (1) if for a period of one year up to the specified date he or she has resided in a dwelling in the city; or
- (2) if he or she being liable to pay, has paid to the Corporation any rate, tax or fee imposed under the Calcutta Municipal Act in the year next before the year of election.

Either qualification, it will be seen, indicates a tie with or interest in the city. The requirement of residence in a dwelling house will exclude the floating population as well as casual visitors to Calcutta and people who sleep on pavements and waste lands.

Bombayতে কি floating population নাই ? স্বতরা; floating populationএর বে যক্তি তাঁরা দেখিয়েছেন তা টিকে না। এখন নতন ক'রে বলা হচেছ যারা বন্ধিতে পাকে এবং ৪১ টাকা ভাডা দের তারা ভোটার হবে। কিন্তু তাতে কমিশনাব নিজেই স্বীকাব করছেন যে franchise খব বেশী বাডবে না। জর্থাৎ कनकाठात्र या population তাব উর্দ্ধ गःখ্যা ২০।২৫ পর্যান্ত বাডতে পারে। অনেকে খরচের কথা বলেছেন কিছু আমি মনে কবি সেটা একটা বাজে অভয়ত। তাঁরা adult franchise চান না, তার কারণ হচেচ বেশী লোকের ভোট হ'লে vested interest কমে যাবে, তখন তাঁরা জোর করে কিছু করতে পারবেন না। একবাব Corporation এ সকলের ভোট হলে জনসাধারণ সামান্য পরিবর্তনে সন্তই থাকবে না। তারা তখন হয়তো এই Municipal Billই পৰিবৰ্ত্তন করে দেৰে। Tramway Company municipalise করা এমন কিছু কঠিন নয়। যদি বচ বচ কোটপতি যাঁরা আছেন তাঁদের properly tackle করা যায় ভাহ'লে এই সব কাজ অনায়াসে হতে পাবে। Corporationএব কোন পরিকল্পনাই এই পর্যান্ত ফলবতী হয়নি, কাবণ Government appointed I. C. S. কন্মচারীরা কিছুই করতে পারেননি : স্থান্থপারী প্রবিত্তন একমাত্র সম্ভব যদি জনগণের সমর্থন থাকে। কিন্তু সে সমর্থন তাঁর। অর্থন করতে পারনেনি। খদাবন্ধ সাহেব বলেছেন এই Assembly হবাব আগে Voter List তৈরী হয়েছে। এক সলেই তো দ'টো ছতে পাৰত। তিনি আবো বলেছেন যে, আইন অনসারে তৈরী করতে হবে। ধব বিজ্ঞজনোচিত কথা। যদি adult franchiseএৰ ব্যবস্থা কৰা যায় তাহ'লে Assemblyৰ Voter Listএৰ পৰে এটা হতে পাৰত কিন্তু সেদিকে দট্টি দিতে তার। বাজী নন। আমাদের এই মন্ত্রিমণ্ডলী জনসাধারণের পতিনিধিস্থানীয় ব'লে দাবী করেন, কিছু তাঁরা যদি প্রতই জন্মাধারণের প্তিনিধি হতেন তবে এই Municipal Billi অন্য আকারে আমবা দেখতে পেতাম। এত গোল right of adult tranchise. আর একটা কথা—right of recall এইটা भुनत्नरे উনি बाँउरक উঠবেন। এই Select Committeeco पन-वात्रज्ञनरक পাঠান হ'ল, किन्क আমি একটা কথা বলচি যে এইবার দেখলাম Select Committeeতে Opposition Party একেবারে unrepresented तरगरह । किन्न এই धतरात किनिय शूर्व कथना এই হাউসে দেখা याग्रनि । चार्रा छाउ একট ছিটা ফোঁটা রাখা হ'ত, কিন্তু এবাব যে Select Committee হয়েছিল, তাতে Opposition Partyক একেবাবে ignore করা হয়েছে। এই right of recall-

Mr. SPEAKER: Please, be relevant.

8j. SIBNATH BANERJEE: তাব কি effect হচেছ এই বিলের উপর তাই বলছি। যদি Oppositionএন লোক থাকত, এবং যদি তাদের দৃষ্টভিদ্ধি এর ভিডর থাকতে পারত তাহ'লে হয়ত একটু পবিবর্ত্তন হতে পারত। যদি minute of dissentএর মধ্যে থাকত, যেমন শুদ্ধেয় শুদিতীশ চক্র চক্রমন্ত্রী minute of dissent দিয়েছিলেন, তাহ'লে হয়ত এদের নাম এন ভিতর থাকত। কারণ তিনি যে সমন্ত্র কথা বলেছেন তা অতি স্কুলর কথা। যেমন "Conclusion—on the whole it seemas that instead of granting further powers to the people the State Government intends to take away the fundamental rights". এর দিকে যেতে চাননি। কারণ বোধ হয় তাঁর right frame-work of the Billa ছিল না। কিন্তু এখন যখন সাধারণ লোকের constitution হয়েছে তথন এইওলি নিয়ে discussion হওয়া উচিত ছিল। যাই হোক আমি suggestion দিচিছ যে, যেমন adult franchiseএর বিশ্বদ্ধে আপনারা যে সমন্ত যুক্তি দেখিয়েছেন আমি তা খণ্ডন করছি। আর right of recallএর পুশু এখানে নোটেই আলোচনা হয়নি, কিন্তু এটা অত্যন্ত গরহার।

উনি বলেছেন যে বর্ত্তমানে Corpopationএর মধ্যে চুকে গিরেছে শুনীতি। স্থতরাং এই দুনীতি দুর করবার সব চেয়ে ভাল পছা হচেছ এই right of recall. কারণ, ধরুণ কোন লোক অন্যায় করছে, কিন্তু নে জ্ঞানে যে তিন, চার বছরের জন্য দে নিশ্চিন্ত। সেইজন্য এই right of recall এটা ধুব ভাল preventive

measure. Dr. Roy তিনি একজন বুৰ ভাল ভাজাৰ, আৰার বনে হব তিনি নিশ্চর এটি prescribe করবেন। Assemblyর ভিতর, Parliamentএর ভিতর এবং Municipality, Corporationএর ভিতর এই right of recall থাকা অত্যন্ত পুরোজন। কিন্ত দুংখের বিষয় এর ভিতর তার কোন provision নাই। এটা থাকার অত্যন্ত পুরোজন ছিল। যদি তিনি আগে থেকেই ধরে নেন যে দুর্নীতি দুর হবে না, তাহ'লে দেখা যাচেছ যে, যে সরুঘে দিয়ে ভূত ভাজাতে হবে, তারই বধ্যে ভূত চুকে গিরেছে।

এই বিলের অনেক ধারা হয়েছে, কিন্তু অনেক খুঁজেও কোধাও শুমিকদের স্বার্থ নিয়ে, তাদের minimum rights কিতাবে maintain হবে তার খোঁজ পাওয়া যায় না।

যদি দেশের কান্ধে এগিয়ে যেতে হয়, তাহ'লে সকলে মিলে এগিয়ে যাওয়া দরকার। এবং Municipaltyতে শুনিকরা একটা বড় অংশ, Municipaltyকে ভাল করে ভোলবার এবং তার উনুতি করবার জন্য তারা একটা বড় অংশ গ্রহণ করে, অথচ তাদের কথা এর মধ্যে নাই, যে কি করে তাদের স্বার্থের রক্ষা হবে, তাদের অবস্থার উনুতি হবে, তাদের শিক্ষার উনুতি হবে, তাদের কি করে রান্ধনৈতিক জ্ঞানসম্পানু করে তোলা হবে; তার কোন কথাই এর মধ্যে নাই। (Here blue light was lit.) নীল বাতি অবেছে, স্থতরাং আমার বজ্তা তাড়াতাড়ি শেষ করতে হবে। ছামার মতে এবং সমস্থ Socialist Partyর মতে, যে কোন দিক দিয়েই দেখিনা কেন, আমাদের Municipaltyর উনুতি ও ভাল করতে গেলে সমস্থ Stateকে nationalised করা উচিত। At least decentralisation সঙ্গে সন্দে হওয়া দরকার। Municipaltyর যে self-government এটা একটা experimental stage. Socialist Partyব মতে এটা একটা experimentএর ক্ষেত্র হিমাকে Municipalty এবং Corporationকে বিবেচনা করা হয় এবং ভবিষ্যতেও করা হবে। কিন্তু এই বিলের ভিতর তার কোন provision নাই। কাল্পেই এই Bill ill-conceived and it should be thrown into the waste-paper basket.

এই new বিলে adult franchise গভর্ণমেণ্ট চায় না, এবং এইটাই হ'ল মন্ত্রীমহাশয়দেব last nail in their coffin—সেইটাই জনসাধারণ ধরে নেবে।

Dr. SURESH CHANDRA BANERJI: बाननीय स्लीकांव बटहालय. কর্পোরেশনের শাসনব্যবস্থা গণতান্ত্রিক ভিত্তির উপর প্রতিষ্ঠা করার উদ্দেশ্যে ১৯২৩ সালে স্থবেন্দ্র নাথ বল্লোপাধ্যায় কলিকাতা মিউনিসিপ্যাল আইনের প্রণয়ন করেছিলেন। তিনি মহৎ উদ্দেশ্যে এই কাল্লটি কবেছিলেন, কিন্তু তিনি একটা ভুল করেছিলেন। সেই ভুল হচেছ্ এই যে তিনি adult franchise বা পূর্ণবয়ন্ধদের ভোটাধিকারের ব্যবস্থা councellorদের নির্বাচন ব্যাপাবে করেননি। এই যে, একটা ভুল ইহার ফলে কলিকাত। কর্পোরেশনের সমস্ত শাসনব্যবস্থা দুর্ণীতিগ্রস্ত হয়ে গেল। কেন না. এক. একজন কাউন্সিলর মাত্র মষ্ট্রিমেয় ভোটের হার। নির্বাচিত হতে পারত। সংসারে মহাপুরুষ কেহই নহে। একবার যিনি কাউন্সিলর কিছা ব্যবস্থা পরিষদের সভ্য হন তিনি স্বভাবতঃই এই ইচছা মনেব ভিতর পোষণ করেন যে সে যেন আর একবার কাউন্সিলর বা ব্যবস্থা পবিষদের মেখর হতে পারেন। যদি ভোটারেব সংখ্যা খুব বেশী থাকে, যেমন পূর্ণবয়ন্কদের ভোটাধিকার দানের ফলে ব্যবস্থা পরিঘদের নির্বাচনে হয়েছে--এক, এক নির্বাচন ক্ষেত্রেই ভোটারের সংখ্যা প্রায় পঞ্চাশ হান্ধার। এই পঞ্চাশ হান্ধার লোককে স্থযোগ, স্থবিধা করে দিয়ে কিয়া ব্য দিয়ে বা চাকরী দিয়ে কেউ নিজের দলে টেনে আনবে, এরূপ কল্পনা করা যায় না। কিন্তু ভোটারের সংখ্যা মাত্র তিন-চারশ ্হওয়ায় কাউন্সিলররা এই তিন-চারশ ভোটারকে কাউকে contract দিয়ে, কাউকে license কিছা permit দিয়ে, কারও assessment কমিয়ে দিয়ে, কাউকে চাকরী দিয়ে আপন আপন দলে ভিড়িয়ে রেখেছেন। তার ফল হয়েছে এই যে যিনি একবার কাউন্সিলর হয়েছেন, তিনি বার, বারই কাউন্সিলর নির্বাচিত হয়েছেন। সকলেই ৰুঝতে পারছেন যে কলিকাতা কর্পোরেশনে দুপীতি বেড়ে যাচেছ, কিন্তু এথেকে অব্যাহতির কোনও পথ ছিল না।

আমাদের দেশের শ্রেষ্ঠ নেতাবা, যেমন দেশবন্ধু চিন্তরঞ্জন দাস, দেশপ্রিয় যতীক্র মোহন, কিছা নেতাঞ্চী স্থতাঘ চক্র, এই কলিকাতা কর্পোরেশনের কর্ণধার ছিলেন এবং এঁরা প্রাণপণে চেষ্টা করেছিলেন এই কলিকাতা কর্পোরেশন মাতে ঠিকমত চলে। কিন্তু পারেন নি। কারণ যার ভিন্তি ধারাপ, গোড়ায় গলদ, শত চেষ্টা করলেও তাকে সংশোধিত করা বার না। ভাই আবরা দিনের পর দিন দেখেছি এই সব নেতাদের চেটা সংখও কলিকাতা কর্পোরেশন ক্রমণ: বারাপের দিকে এগিরে বাচেছ। কলে দই বংগর আগে গভর্ণবেণ্ট বাধ্য হয়ে কর্পোরেশনের শাসন ব্যবস্থা নিজের হাতে নেন। তাতেও কোন স্থকন কলে নাই। এখন জাবার Government একটা चाहेन कराए बाराइन। यहे बन जन-adult franchiseus जान, भनेवहकाम जानिन कारबब प्राचीत. त्यारे बल जातव मारानांबन कहा डैठिए किन धरे बिरत। किन्न शंखर्गरबने का करबन नार्छ। গভর্ণবেণ্ট তা না করে অন্য দিকে গিয়েছেন। গভর্ণবেণ্ট রোগের পতিকার করতে গিয়ে স্কুগীকে বেরে কেলেছেন। গভূপনেণ্ট ভাৰছেন যে কৰ্পোৱেশন ঠিকমত চলছে না, তার শাসনব্যবস্থা দুৰ্ণীতিগ্ৰন্ত হয়েছে, স্মুতরাং ভাকে আরা কোন ক্ষমতা না দেওমাই বাছনীয়। তাই তাকে কমজোরী করে, তাকে দর্বল করে মেবে ফেলা ছচেছ অধ্য প্রকাশ্যে এই কথা বলবাব সাহসও নাই। এই গণতন্ত্রের যগে প্রকাশ্যে বিচ্ছু না বলে একটি গণতান্ত্রিক পুতিষ্ঠানকে মেবে ফেলা হচেছ। গভর্ণমেণ্টের এই মনোভার বিলের পুতি ধারায় ফটে উঠেছে। পর্বে কলিকাত। कर्रशादिशासन এकि गांव authority हिल, श्रेवम शुरक्तम स्टूरक्त नाथ वागिको यह महान काछ करत গেছেন তা বদলিয়ে বর্তমান সরকাব একটি authorityর জামগাম তিনটি authority স্ষষ্ট করেছেন। একটি হচেছ Corporation, বিতীয়টি হচেছ Standing Committee আর ততীয়টি Commissioner। कालुक कीक जाशारी महानम बरलेशितन त्य वारला त्मरन देख गामन करन ना। जामना जानि how diarchy has failed in Bengal. স্থাতবাং আমি বলতে চাই যে এই যে এয়ী শাসনের ব্যবস্থা তাও চলতে পারে না। এর মতা অনিবার্য। এ বাবস্থা অচল জেনেও গভর্ণমেণ্ট একে কায়েম করতে চাচেছন।

ভাজাৰ বায় বুদ্ধিমান ও বিচক্ষণ ব্যক্তি। কোথায় কার কোন দুর্বলতা আছে, এবং প্রতিপক্ষ কোন্ দিক দিয়ে তাঁকে আক্রমণ করবে সেটা তিনি আগে থেকেই বুঝতে পারেন। তাই গতকলা তিনি বলেছিলেন আপাড্রম্ম্টুটেতে দেখতে গেলে তিনাটি কর্ত্বপক্ষই হয়েছে বটে কিছ Standing Committee এবং Commissionerকে Corporationএর অধীন বাধা হয়েছে। এসৰ বাজে কথা। কারণ এই আইনের ২৩ ধারায় Standing Committee এবং Commissionerকে এমন অনেক ক্ষরতা দেওয়া হয়েছে, এমন অনেক কর্ত্তব্য, function এবং duty দেওয়া হয়েছে যে এসৰ বাগোবে কর্পোরেশনের আর এদের কিছু বলবার অধিকার নাই। ২০ ধারায় এই সব কথা পাই করে বলা আছে। অবশ্য পরে section 28(A) যোগ করে দেওয়া হয়েছে। কিছু section 28(A) যোগ করে দিলেও section 23 থেকে অবাহিতি নাই। Section 23তে যা বলা হয়েছে তা তীঘণ ক্ষতিকর। স্থতরাং এই তিনাটি কর্ত্বপক্ষই কলিকাতা কর্পোবেশনে করা হয়েছে। এবং এই ডিনাট কর্ত্বপক্ষের পারপারিক বিরোধের ফলে কলিকাতা কর্পোরেশন একেবারে শেঘ হয়ে যাবে। Standing Committeeকে তিপর Corporationএর কোন কর্ত্ব থাকবে না। এই রকম একটা অব্যুত জিনিঘ দুনিয়ার আর কোধাও ক্রেজে পাওয়া যায় না। এটা একটা লজ্জার বিষয়। এর থেকে disgraceful আর কিছু হতে পারে না। Standing Committeeকে তো Corporation নিয়োগ করবে কিছু কমিশনায়কে নিয়োগ করবে কে। তাঁর নিয়োগ সম্পর্কে কর্পোরেশনের কোন কর্ত্ত্বই নাই।

আগে Chief Executive Officer নিযুক্ত হত কর্পোরেশন কর্তৃক—গভর্ণবিশ্বের সমর্থন সাপেন্দ। কিন্তু এখন তা হবে না। কর্পোরেশনের গলে কমিশনারের নিয়োগের কোন সম্পর্কই থাকবে না। গভর্পবেশ্ট will appoint the Commissioner with the approval of the Public Service Commission. অথচ এই কমিশনারের উপরই কর্পোরেশনের সমস্ত কর্তৃত্ব ভার থাকবে। কমিশনার কিভাবে কি করবেল তার সমস্ত ব্যবস্থাই করবেন গভর্পবেশ্ট। তাঁকে যদি বরধান্ত করতে হয় গভর্পবেশ্ট যে কোন মুহূর্তে তা করতে পাববেন; কিন্তু কর্পেনিশনকে যদি তা করতে হয় ওবে একটি বিশেঘ গভা আগনান করতে হবে। সেই সভায় কর্পোরেশনের বোট সভোর শুই তৃতীয়াংশের উপন্থিত থাকা চাই এবং উপন্থিত সভাবের অধিকাংশের ভোটে বরধান্তের পুস্থাবাটি পাশ করতে হবে। যে ব্যবস্থা করা হয়েছে তাতে করপান্দে ২৬টি লোক কর্পোরেশনের গভর্প বেশ্টের পক্ষে থাকবে। এই ২৬টা সভা যদি উপন্থিত থাকে তাহলে কর্পোরেশন কথনো ক্ষিশানারকে বরধান্ত করতে পারবে না। স্কুডরাং ক্ষিশানারের কান্ত থাকা না থাকা সম্পূর্ণ নির্ভর করবে গভর্পবেশ্টের উপর। এইভাবে Corporation, etc., will become a department of the Government.

ক্ষিনারের পদে কর্পোরেশনের অন্যান্য পুখান কর্মচারী হচ্ছে Chief Engineer, Finance Officer, Chief Auditor, Accounts Officer, Secretary and Deputy Executive Officer একজন বা দু'জন। একের নিয়োগ করবে Corporation on the recommendation of the Public Service Commission subject to the approval of Government.

তারপরে যাদের নাইনে দেও হাজার টাকার উপর, তাদের নিযুক্ত করবেন Corporation on the recommendation of the Public Service Commission subject to the approval of Government.

কাল শ্রীযুক্ত দেবেন সেন বলেছেন যে এই Public Service Commissionটা ২চেছ একটা packed body dominated by the Government। এই packed bodyই হবে সর্বমন্ন কর্ত্তা এই সব কর্মচারীদের নিয়োগের বাপারে। দেড় হাজার টাকার মাইনে যাদের তাদের নিয়োগেই নন্ন দেড় হাজার থেকে আরক্ক করে ২৫০১ টাকা বেতন যেসব কর্মচারীর তাদের নিয়োগেও হবে কর্পোরেশন কর্জ্বক on recommendation of the Public Service Commission. স্পত্রাং উপর হতে আড়াইশো টাকা বেতন পর্যান্ত্র সমস্ত কর্মচারীরই নিয়োগ পরোক্ষতাবে নির্ভ্র করছে গত্র্গনেন্টের উপর । বাকি রয়েছে যান্ত্রসর মাইনে ২৫০১ টাকার নীচে। তাদের নিয়োগকর্তা হবেন Commissioner এবং তিনি যে গত্র্গনেন্টেরই লোক সে সহক্ষে পূর্বেই বলা হয়েছে। স্পত্রাং দেখা যাচেছ সমস্ত কর্মচারীই from the tep to the bottom নিয়োগ করবেন গতর্গনেন্ট। তাহলে দাঁড়াচেছ এই—গত্র্গনেন্ট নর্পোরেশন কর্ত্তুপক্ষকে শুধু যে তিন তাগে বিভক্ত করেছেন তাই নন্ন, সমস্ত কর্মচারীই নিযুক্ত করবেন গতর্গনেন্ট। কাল সবকাব পক্ষ থেকে বলা হয়েছে ক্ষতি কি তবিঘাতে যে গতর্গনেন্ট হবে সেই ক্ষমতা পাবে এবং সে গতর্গনেন্ট যখন পূর্ণবন্ধক্ষদেব ভোটের হারা নির্বাচিত প্রতিনিধিদের হারা গঠিত হবে স্ক্তরাং Corporation যদি তাদেবই কর্ত্ত্ব থাকে তাতে আপত্তির কারণ কি? আপত্তি কিছু নাই যদি এ কথাটা স্পষ্ট শ্রীকাব কবা হয় যে Corporation আর ৪০নিত্রত কারণ কি? আপত্তি কিছু নাই যদি এ কথাটা স্পষ্ট শ্রীকাব কবা হয় যে Corporation আর ৪০নিত্রত কারণ কি? আপত্তি কিছু নাই যদি এ কথাটা স্পষ্ট শ্রীকাব কবা হয় যে Corporation আর ৪০নিত্রত কারণ কালতে harmony and Co-operation থাকবে বটে।

কাজেই J. C. Gupta সাহেব যা বলেছেন তা ঠিক নয়। গণতদ্বে যাবা জনগণেব প্রতিনিধি তাদের বছলোককে সন্ত ই করে চলতে হয়। J. C. Gupta সাহেব যা বলেছেন--যদি বান্তবিক বিলেতের অনুকরণে adult franchiseএর ভোটেব হারা গভগনেন্ট এদেশে প্রতিষ্ঠিত হয় তাহলেও সেদেশের City Councilএর মত এখানে স্বায়কশাসনশীল প্রতিষ্ঠান গড়ে উঠতে পাবে। সেখানে City Councilএর full power আছে, গভগনেন্ট কোন ব্যাপাবেই তাদের উপর হস্তক্ষেপ করেন না। তাবাই সম্পূর্ণরূপে শাসনকার্য্য চালায়। এইত সেখানকার অবস্থা।

এ ৰিলটা আমি যতই পড়ি ততই ভাবি, Councillor যাব৷ নিৰ্বাচিত ২বেন, তাঁবা কি কৰবেন, তাঁদের কাজ কি থাকবে ? It is not worth the paper in which it is written.

University বিলেৰ আলোচনা প্ৰসঙ্গে বাধাকৃষণ কমিশনেব স্থাবিশ উদ্লেখ করে আমি একখা বলেছিলাম আমাদের আদৰ্শ কি হওমা উচিত। বিশ্ববিদ্যালয়েব কাজ ঠিকমত চলবে—যদি তাহার শাসনব্যবস্থা যথেষ্ট পরিমাণে গণভাষ্ট্রিক করা হয় এবং গভর্গমেণ্টের interference যদি না থাকে। Corporationএর বেলায়ও সেই কথা পুযোজ্য। Give the Corporation adult franchise and good constitution and it will be all right.

এব উপন গভর্ণনেণ্ট হল্পক্ষেপ কববেন না সমস্ত কাজ মানুষ নিজেরাই ঠিক কবে নেবে। আমাদেন গণতদ্বেব শক্তির উপরই বিশ্বাস করতে হবে। জনশক্তি জেগেছে এবং জাগুত জনশক্তি সব ব্যবহা ঠিক্মত করবেই করবে।

Janab ABDUL AZIZ ANSARI: Mr. Speaker, Sir, it is an irony of fate that in the year of grace 1951 when the country after the achievement of independence is moving towards adult franchise, our Government, the Congress Party Government, whose slogan during the time when the country was ruled by an alien power was Panchayet Raj—and autonomous bodies—this is a tragedy of our life that we are having from such a Government of

ours a Bill which is before the House and we are asked to consider it. Sir, that the Corporation of Calcutta, its administration, its administrators, the Councillors and the Aldermen, have never done their duty by the city is well known. Its inefficiency is a bye-word; one who can move in the streets of Calcutta can see for himself from an ordinary citizen's point of view—not from a professional politician's point of view—what efficiency there is in the administration of the Corporation. We need not dwell on that. It is admitted by all parties and by people of all shades of opinion. But the great question before the House is whether the Bill as it has come out after the scrutiny of the Select Committee which had three ex-Mayors on it, one of whom happens to be our distinguished Leader of the House, has done anything which will rid the Corporation of the ills from which it suffers. That is the crux of the proposition. I am not before you, Sir, as a professional politician—thank God, that is not my profession—I am here to place before you the view of the ordinary citizen of Calcutta. Our Select Committee which has considered the Bill has presented us with an Overlord in the shape of a Commissioner. May I ask the Hon'ble Leader of the House, who is a distinguished physician of the country-not only of Calcutta—that is it not the theory of medicine that if you introduce a foreign element in human system the human system will resist that foreign body and will never act so as to make the working of the system harmonious. Now, here you are imposing a Commissioner from outside whose appointing authority will be the State Government. Today, fortunately or unfortunately, we have the Congress Governments in power in the various States and even in Bengal. Tomorrow as the future is in the lap of Gods, one does not know which Government will be in power. The electorate is always fickle minded. Nobody can say what will happen. My friends in the opposition here may be or the Government sitting over there in the treasury benches may be in power. Is it the time to impose a Bill on the people which has many of its provisions retrograde in character and the real piece in this Bill that is most obectionable is the appointment of the Commissioner although it be through the Public Service Commission. No doubt Government has attempted to take out the sting from this very bad piece of legislation by making a provision that the appointment to the municipal services shall be made by a Municipal Service Commission. So far as it goes, it is good. That the appointment of higher officers in the Corporation will be made through the instrumentality of the Public Service Commission, that is also so far as it goes good, but the question of questions is this, who is to rule—whether the Corporation of Calcutta or a foreign person imposed on it by the Government of the province who is to do things in the name of the Corporation but as a matter of fact who will be serving his own master who appoints him?

Sir, at this stage of the discussion on the motion I need not take the time of the House through taking the House in those various provisions which will come up for discussion later on, but the relevant provisions are section 19, section 28 and section 28A. I would appeal even at this late stage of discussion on the motion to our distinguished Leader of the House that if he could by accepting an oral short-notice amendment change the method of appointment of the Commissioner as it is proposed in section 19 of the Bill, nothing would be lost and a greater part of the time of the House will be saved by not discussing this unnecessary section. I would appeal to Dr. Roy to make the appointment of the Commissioner, if he wants him there, through the instrumentality of the Corporation, as the Chief Executive Officer was employed and is employed under the present Act of 1923. If the appointing authority of the Commissioner is the Corporation, Sir, then he will take orders from the Corporation. The Corporation may be good or bad, well, you cannot help it. In my opinion 25

the Corporation is what we deserve as the people get a Government th they deserve. If it is in the character of the people to be inefficient, to corrupt, to tolerate jobbery, nepotism and all that corruption in public lif then a mere piece of legislation will not cure them of these bad habit These good things have to be inculcated and the people have to be taug these good qualities of a citizen's life. If we go through sections 28 ar 28A then we find that the power that the commissioner wields is suprem although when the Hon'ble Chief Minister was introducing this motion the House had said: "Well, rules and regulations will be made by th Corporation, and the commissioner will observe these rules and regulations. I am sorry, Sir, my reading of these sections does not leave that impressic and does not lead to that conclusion. The more I read these sections, th more I come to the conclusion that here is a supreme Lord imposed on th citizens of Calcutta to do as he likes and to think as he likes. Will th House in the year of Grace 1951 when we have got our own Nations Government adopt a piece of legislation when in 1923 under the yoke c a foreign rule we had obtained as much concession as we have in the present Act that is before us all? I submit that it is not yet too late the save the time of the House, and it will save much heart-burning if th Hon'ble Minister agrees to this little change.

One more point, Sir, and I have done. The other thing which strike me as very incongruous in these progressive times is the method of election Well, we should have thought that now that India is going to have adul franchise—for which frankly speaking I think it was not fit since howeve the State has adopted it, I should have thought that this state should hav given the citizens of Calcutta, which happens to be the first city in ou Indian Union, this merit, this blessing of adult franchise. It has not beel done. It is a tragedy I should have thought that at the conclusion of this session when the elections are so near, and when this Government is goin out handing over its charge to a successor Government whichever it may be, it should have tried to earn the blessing of posterity and not left to posterity to write a history that will do it no credit.

With these few words, Sir, I again beseech the Government and the Hon'ble Chief Minister to re-shape section 19, and then I can assure him that perhaps much of the criticism that has been made and has been heard will disappear.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I have been listen ing to the speeches from the Opposition benches, and I have come to the conclusion that there are people who feel that abuse can replace argument It begins with a particular theory—the theory that everybody speaking of this side is unreliable, that the Congress Ministry is corrupt, that the Congress Ministry is after gaining power, that the Congress Ministry has got some design in bringing in the different measures before the House Having got that fixed in your mind it is not very difficult to go to the next position, namely,—therefore oppose everything which a corrupt Govern ment, a corrupt Ministry had brought forward. Sir, I sympathise, I some times pity this approach of the people on the other side.

Sir, I have been asked why is it that I have taken so much interest, why is it that I have taken charge of this Bill and not the gentleman my friend the Hon'ble Mr. Panja who is in charge of this department. I shall tell you why. Sir, at the time the Corporation was superseded and since then for nearly two years. I have been in charge of the department, and I have gone through every step. It was at my suggestion that the Cabinet and the legislature agreed to appoint the Investigation Enquiry Commission. It was at my suggestion that the whole report was agreed to and acted

upon as far as possible by the Cabinet; and then I felt as the person in charge of the administration that I should help the members of the Assembly in putting forward various points of view with regard to the Bill. There is another reason why I have undertaken the task. I can assure my friends that it is not a comfortable task. It is a very heavy task. It is not easy to carry the burden of various Ministers, but I feel that I am one unit in an organic whole and therefore I must take responsibility individually and collectively with all that the Ministry is responsible for, and so if the Ministry has done anything wrong I might be responsible. If the Ministry is corrupt, then I am corrupt; if the Ministry has done anything which is out of the way, then I am responsible for that; and therefore when big Bills come before this House I feel that it is my duty to place before the Assembly the provisions which we have taken on this side of the House, and if I have done anything wrong I hope Mr. Jyoti Basu will forgive me.

The second point that Mr. Jyoti Basu has made is why is it that this Government should have brought this Bill at the tail end of the Ministry. The reason is very simple only if you begin with the proposition that there is something correct, something reliable, something dependable on this side of the House. If you do not, then of course you cannot think any further. The position is this. Last year this House had passed the Bill which is known as the Electoral Act. It is on the legislative anvil. You will also remember that the Calcutta Corporation had been superseded at the first instance for a period of two years; then it was superseded for another year, and I could see the various forms of criticism that were being levelled against Government that they were doing nothing to get the election through. Therefore when the electoral qualifications had been laid down, I would have felt that when this Act came up for discussion last year it was then necessary for the Opposition to bring forward the question of having either a limited franchise or adult franchise, but the position is this. If we hold the election at least in February or March next year, it is necessary that the electoral roll must be prepared at least 7 or 8 months ahead, and therefore it is necessary that the Corporation should come to existence with a certain reconstituted point of view.

Two criticisms have been levelled against this Bill, first of all the question that there has been a division of responsibilities. Everybody knows that in Madras and in Bombay for many years a Commissioner is appointed by the Government, and I have been told that in Bombay there is an adult suffrage. There has been a Corporation elected on adult suffrage, but indeed that Corporation elected on an adult suffrage has not thought fit to do away with that provision or ask the Government to do away with the provision of a Commissioner being appointed by the Government. At the same time, if you look at the provision for the appointment of the Commissioner and the discharge of that Commissioner both in the Bombay and Madras Acts you will find that we have followed as closely as possible the provision of these two Acts. Incidentally I may mention that while we are talking of the so-called adult franchise in Bombay, I was struck by the fact that in Bombay even today the electorate consists of four councillors to be elected by the Bombay Chamber of Commerce, by the Indian Merchants Chamber of Commerce and Bureau, and by the Bombay Mill-owners Association and one by the fellows of the Bombay University. If we compare it apart from the other councillors and if we are to compare it with our provision, you will find, Sir, that we have made no provision for vested interest. Similarly, Sir, in the Madras Act you will find that there are provisions for election from the industrial group and from the University.

That is only by the way. The next point put forward is that we have made provisions for a diarchy or a triarchy. It is possible that my friends who have said this did not apparently look into the provisions of the Bombay and Madras Acts. In the Bombay Act it is said in section 4 that the Municipal authorities charged with carrying out the provisions of this Act are (a), the Corporation, (b) a Standing Committee, (c) the Bombay Electric Supply and Transport Committee, (d) a Municipal Commissioner, (e) the General Manager of the Bombay Electric Supply and Transport Undertaking. So there is not diarchy or triarchy there but pentarchy, if that is the language that can be used. In the case of Madras, the municipal authorities charged with the carrying out of the provisions of this Act are (a) the Council, (b) the Standing Committees of the Council and (c) the Commissioner. Sir, my friend over there tried to suggest that the Commissioner introduced in this Bill becomes a foreign element. Now, Sir, he forgets that he takes many things which are foreign to his body but all the same he assimilates them. He has pneumococus in his body but he assimilates it and that is my reply to him, as a medical man. He forgets that every day of his life he takes all types of foreign elements and assimilates them in his own constitution, because human constitution is a constitution of senergy-a constitution where the different elements work and act as so many checks and balances—a constitution which gets adjustments made between the different organs and the different parts that it consists of. Therefore the question that arises is having felt that the Corporation which was in the Congress hands has made mistakes and corruptions have crept in there, we have now determined that they should be rectified by us but Sj. Jyoti Basu says that the Congress Government cannot possibly do anything which will make the Corporation better, which will make the administration of the Corporation better. Sir, it is human nature that every man tries to hide his own faults but the Congress does not want to hide its own faults. The Congress recognises that it should have started controlling the Corporation in the very beginning when the abuses had gone into the whole system and the gangrene set in and the different elements were destroying the body corporate of the Corporation which needed to be removed. We are courageous enough to admit our defects and we are trying to remedy them as far as possible.

Now, Sir, a question has been asked over and over again as to why is it that we are introducing a Commissioner. I have told you just now that the two main big cities in India today, apart from Calcutta, have got this provision. Why have they got it? Was it mere cussedness that they have made this provision and is it because this Government want to keep control over the Corporation that we have suggested it? No. I say deliberately and with the greatest emphasis at my command that we have suggested this because it was found necessary that at least a man who is to be the Director-head of the Corporation should be a person who may not have to be appointed through the votes of the Corporation Councillors. I claim that I know more about the Corporation than any one sitting in this House today, because I have been in it for a very very long time and somebody said the other day that probably I am responsible for the abusee as I was in it for a long time. Probably to that extent I am, because I have not been able to stop these abuses. I knew what were the factors that were creating trouble there but it was not possible for us to do anything and when we got the opportunity—we have taken the earliest opportunity since 1948—to put matters right and I say again, I repeat what I said twice or thrice in the Assembly before that I feel that when a part of the body has become diseased it is necessary to remove it. Now, Sir, about the Commissioner, I think that the Commissioner should be a person not subject to the influence of the Corporation Councillors. Sir, I have to deal with

human beings. I know human beings are not perfect. I am not perfect, neither members sitting opposite are perfect. We feel that by some checks and balances, by some measures we should put in a man who would be a desirable person to carry on the administration of the Corporation. Sir. the Corporation, as distinct from the administration of Government, runs on a different line. The Corporation is not merely a policy-making body but it is also the ultimate authority for carrying into execution that policy. Ordinarily what used to happen in the old days was that the Corporation used to lay down the policy and also decide in fact to what extent the delegation of powers should take place by the Corporation to the different officers and to the different Committees. Every year there used to be a tussle as to what extent the delegation of powers to the Chief Executive Officer and to each Committee should be. I have seen and I have witnessed such a wrangle at that time. Even in those days I used to feel that it was necessary to stabilise it by putting them more or less on a statutory basis. Sir, it has been suggested now "Why not give the appointment of the Commissioner to the Corporation?" I have been asked, "Why not accept this amendment and the whole wrangle will be over". I am not thinking of the wrangle here and what in our judgment or in our wisdom should be the provision. We have got to see what is the correct thing to do and what have the other major cities done in a matter like this borne out of their experience of municipal affairs. The Opposition members who spoke simply spoke but could not tell me and the House by their arguments as to how we are on the wrong track in the provision that we have made in this Bill for the appointment of a "Commissioner". None of them has given me an answer to the main proposition as to why is it that the two other major cities in India have got the "Commissioner" on the municipal bodies. This Government also feels that a "Commissioner" is necessary on the ground that a great deal of trouble has arisen and a great deal of abuses has crept in in the Corporation because of the existence of a person who is faced with a dilemma every now and then and who is subject to the vote of the Corporation. Sir, the Corporation as I was just saying works through its Executive Officer or through its Committees at the present moment. It is not correct that some people seem to think that the present Executive Officer has not got powers which are final. If you look to sections 131, 144, 146, 151, etc., you will find that the power to reverse the assessment and to amend the assessment is a final power resting with the Executive Officer today. The granting of vacancy remission is a final power resting with the Executive Officer today. You will find that the power to enter any premises to make survey thereof or to carry out the purposes of the Act is a final power which the Chief Executive Officer possesses today. But what could he do and what has he done? We have also laid down that although this officer is appointed by the Government he would be under all circumstances amenable to the control and discipline of the Corporation. We have provided several clauses in which we have tried to emphasise this point of view. It has been suggested that we have given plenary powers to the Commissioner. The Bill clause says very clearly how the Commissioner derives the final powers that are to be exercised by him. In certain matters they are given by the Act or the Rules and Regulations made thereunder. In other matters they may be given to him by Resolutions of the Corporation. Such powers are given not only to the Commissioner but also to the Standing Committees and such powers once given should be regarded as something in which the Corporation ought not to interfere. If, however, the Corporation feels that a particular Rule under which the Commissioner is given some final powers are not being exercised properly it is open to the Corporation to change the Rule.

If the Corporation feels that a particular rule under which the Commissioner has been given the final powers has not been properly attended

to, it is open to the Corporation to change the rules and alter the regulations. And if the Corporation finds that the Commissioner goes beyond the final powers, it is open to the Corporation to tell the Government that this gentleman has exceeded his power and it is for the Government to amend the rules. The whole point is that somebody must work. It is no use that everybody should talk. I will suggest to you, any of you take the trouble of looking into the agenda of a meeting of the Corporation before it was held and you will find that there were 230 or 220 items put on be agenda but none of the items would come to a finality simply because the anal powers were under the Statute left to the Corporation. Our approach was this, that there were some matters in which we trust the Standing Committees who were for long Councillors of the Corporation, and there were certain other matters in the rules and regulations and bye-laws under the provisions of the Act in which we should trust the Commissioner because without trust nothing can be done. We repeatedly ensured in very many places and the Select Committee was very particular that in all places where there is any chance of any possible abuse being made by the Commissioner of the powers granted to him, the Commissioner was hedged in by the expression that the Commissioner shall act according to the rules and regulations and bye-laws. It has been said repeatedly that merely putting in the Commissioner will not cure our disease. We have in the Select Committee made provision so that at least the delay in the execution of work, the delay in the matter of putting into effect the decisions of the Corporation may not occur. Similarly, in the case of Standing Committees the same argument holds good. In many matters, ordinarily under the present Act, the decisions of all Standing Committees except the Primary Education Standing Committee are subject to confirmation by the Corporation. The result is that any decision of a Committee on a particular date has to wait for days together, sometimes for a month, two months or more before it comes up to the Corporation for final decision. Therefore, in order that the Corporation work may be carried on with expedition under the directions of the Corporation and under the rules framed by the Corporation, for the working of the Standing Committees and for the working of the Commissioner we have to provide that no such delay may occur in future and the work may be carried on. At the present moment the Corporation is working in a particular way. You may call it dyarchy, but it is not so because that means two authorities but both of them are the Government. But in the case of the Corporation, both under the present Act as well as under the Bill that has been put forward, the Corporation has the supreme authority. The only thing is that the Corporation has laid down the directions under which the Commissioner and the Standing Committees might work.

(At this stage the House was adjourned for fifteen minutes.)

(After adjournment.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, it seems to me that perhaps I have not emphasised the fact that in Bombay and Madras the Municipal Commissioner today is appointed by the Provincial Government for a period which is renewable by the Government. There is no provision there of even approaching the Public Service Commission. Sir, the Select Committee has asked and Government has accepted the proposition that he should go to the Public Service Commission. A suggestion has been made as to whether we can make the Public Service Commission the ultimate authority for the appointment, but it is open to several criticisms. In the first place, according to the Constitution the Public Service Commission cannot have any final say in the matter. They have no responsibility for

appointments and their responsibility ends with the recommendations made. The other objection that will immediately be raised is, as has been raised in the Assembly, that after all the Public Service Commission is a packed body of Government nominees. On the other hand, what we have suggested is this that the Public Service Commission will consider all applications and recommendations will be made to the Government, and the first appointment, at any rate, will be made by the Provincial Government. We have also agreed to the proposition that the appointment should not be renewable for more than one term although in Bombay, I know, one Commissioner has been continuing for 18 years. Therefore, I have ascertained from the Mayors of both Madras and Bombay that they have gone very smoothly with the Commissioner and they have not regarded the Commissioner as a foreign element in their Corporation. Therefore we have suggested this. I may therefore suggest that after all, I admit, it is an experiment and if it is found that it does not really result in the removal of some of the defects, if it does not result in more expedition of work of the Corporation, if it does not result in giving effect to the resolution of the Corporation more speedily than now, it would be possible for any legislature next year to remove the particular paragraph where the appointment is made by the Government. What I am saying is this, that it is my painful experience that repeatedly the best men in the Corporation have not been chosen for different responsible posts because of the party factions and groupings. Therefore we want to make this experiment seeing that in the other two big sister cities this experiment has been found to be fairly satisfactory.

Sir, the next point is the appeal of the Opposition members to the proposition of adult suffrage. It is almost a pathetic approach to the proposition of adult suffrage, as if by adult suffrage all ills will be over, we shall get heaven on earth, we shall get perfection in all our works and dealings and probably we will satisfy a certain number of people who do not possess the qualifications for voting that they would have under the adult suffrage system. There again I say that we have followed the quickest method of bringing about an election seeing that this legislature last year had accepted the principle of restricted franchise and laid down an Act which is now on the Statute Book for indicating who should have the votes. Sir, possibly my friends have not seen the difference that has been made by our proposition compared to the present conditions under which a man gets a vote today. Today a man who pays a tax or pays some fee up to Rs. 12 a year will be put on the electoral roll. In this Bill we have said it does not matter if he pays 4 annas, 2 annas or 1 pice—if he pays some tax to the Corporation and its organisations, then he will be allowed a vote.

Secondly, under the present Act, any person who does not pay a monthly rent of less than Rs. 25 has a vote and for bustee dwellers, one must pay Rs. 12 a month before one gets a vote. In our suggestions, the two figures have been reduced to Rs. 8 and Rs. 4 respectively—a man paying a rent of Rs. 8 a month would be entitled to vote in an ordinary dwelling and in a bustee a man paying Rs. 4 a month will be given a vote.

Then again we have put down the educational qualifications—all persons who have passed the Matriculation Examination of a particular year as also all persons who have a diploma of a recognised technical or vocational institution will have a vote.

Sir, I do not say that this satisfies the formula of adult suffrage, but we have felt this that one of the fundamental principles of approach in all these matters should be that we should try and associate with the work of the Corporation those who have or are contributing towards the success

of the Corporation work—and not only those who enjoy the amenities and pay nothing to the Corporation because I take the Corporation as a corporate body and everybody must contribute something before he can expect the amenities that are available—those amenities should be distributed to those who contribute for them. Therefore, although the rent figure may be reduced lower if it is necessary, as I said, these are the principles which have been accepted by the legislature. In order to get the electoral roll prepared for the election to take place in February or March, we thought it best to keep to this particular provision. Sir, if the new Assembly which comes in on adult suffrage feel that we are very backward, let them change the electoral roll. It only requires a small amending Act and the future elections will be held on the adult suffrage system. But my point is this that by simply changing the electoral system if you could change the habit, outlook and approach of human beings towards mutual help and co-operation in Corporation matters and in social matters, it would have been a very desirable thing. But along with this, social approach must be made and activities must take place to make every individual more corporate-minded. It is from that point of view that both in the Standing Committees as well as in the Borough Committee we have provided that in the Standing Committees 3 members out of 12 should be persons who may not have been elected as Councillors but who on account of their permanent contribution to the city should be on these committees. Similarly, the same thing happens with regard to the Borough Committee. We have got to train our people—it is not that we can do it immediately. I have been told often, why should the pace not be made quick? My reply is that in spite of the scientific developments, rice cannot be cooked in one minute. You may have any form of heat you like, but it will take some time for the rice to be properly cooked. Similarly, it is no good being impatient-I do not say you should be complacent-but it is no good being impatient. We have got to see what our ideal is and try to work that out. We have to give time for everything. It is not necessary merely to give time to the members of the House to bring out their grievances before the Assembly—it is also necessary for Government or any organisation to have a little time for the purpose of giving effect to all that they propose to do.

Sir, with regard to adult suffrage, the proposition has been made over and over again that if the electoral roll were on the adult suffrage, there would be no opposition. I am not thinking of the opposition—I am thinking whether at the present moment—we may honestly differ, as Mr. Bimal Ghose said, on this point—on this occasion adult suffrage can be the best solution for the ills that we have been witnessing.

Sir, Mr. J. C. Gupta has said that, after all, the election should take place in March and when the new Government, elected on adult franchise, will be in power, I hope and trust that they will be able not merely to appoint a Commissioner judiciously, but they will also be able to take such steps as would make the election less open to abuse and corruption—they will be able to have a group of men in the Corporation who would be not only doing their duty properly but would bring the Corporation back to its pristine glory and credit.

It has very often been said that I am instrumental in demolishing the temple of Liberty which was erected by my predecessor—by the great leader Sir Surendra Nath Ranerji. If I had any inkling—even the remotest inkling—that I was doing that, I should be the last person to sponsor a Bill of this character. As somebody said, it was being made dirty. There is no question of a sacred place being made dirty and uninhabitable. Every one of us should take the broom in his hand and try to clean the stable as far as possible in his own way. I do not say every man will agree

with me—T to not presume to think that my argument will appeal to every one—possibly not. But all I can say is that whetever we have done, we have done with one intention and one earnest effort to try and see if another system which replaces the present system would be a better organisation for the purpose of achieving the amenities of civic life in this city and also raising the name of the Calcutta Corporation to its former state.

Sir, with these words I move for the consideration of the Bill. (Applause.)

Mr. SPEAKER: Before I put the motion to vote I wish to deal with the point of order with regard to amendment No. 4 of Dr. Suresh Chandra Banerji. My attention has been drawn to Article 60(3)(ii)(a) of the Assembly Procedure Rules and in view of the specific provision regarding recommital in our rules, I do not propose to rule out that particular motion, and I revoke my order that the same was out of order. I may, however, point out to you that the motion should be in this form, namely, "the Bill be recommitted to the same Select Committee with instructions to reconsider the same and submit their report by the 1st November, 1951". Otherwise it is meaningless. Therefore, if you wish to press it, you should modify it by insertion of the word "reconsider".

### Dr. SURESH CHANDRA BANERJI: Sir, I have no objection.

Mr. SPEAKER: The next point which I wish to draw your attention to is a standing order of the House of Commons that if a motion to recommit a Bill is brought, Mr. Speaker shall permit a brief explanatory statement of the reasons for such recommittal from the member who moves and from the member who opposes any such motion respectively, and shall without further debate put the question. Though this rule is not incorporated in our rules, this rather compels me not to disallow this particular amendment of Dr. Banerji. I, therefore, wish to put this amendment first to the House in the amended form suggested by me.

The motion of Dr. Suresh Chandra Banerji that the Calcutta Municipal Bill, 1951, be recommitted to the same Select Committee with instructions to reconsider the same and submit their report by the 1st November, 1951, and that the quorum of the Select Committee be fixed at as before, was then put and a division taken with the following result:—

#### AYES-9

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoli

Chatterjee, Sj. Haripada De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Sen, Sj. Debendra Nath

#### NOES-47

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Bhattaoharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanalial
Dutti-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Gelam Hamidur Rahman, Janab
Gemee, Mr. D.

Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Sahyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Maj, Sj. iswar Chandra
Mailick, Sj. Ashutosh
Mandal, Sj. Amadaprasad
Mandal, Sj. Bankubehari
Mandal, Sj. Bankubehari
Mandal, Sj. Umesh Chandra

Stiera, Sj. Sewrindra Meine Mohammad Hossain, Dr. Mookerji, The Hon'ble Kalipada Mudassir Hossain, Janeb Murarka, Sj. Bassntiai Haskar, The Hon'ble Hom Chandra Panja, The Hon'ble Jadabendra Nath Pentony, Mr. L. R. Platel, Mr. R. E. Poddar, Sj. Anandijai Pramanik, Sj. Rajani Kanta Rahuddin Ahmed, The Hen'ble Dr. Roy, The Hen'ble Dr. Bidhan Chandra. Roy Sarkar, Sj. Birendra Nath Roy Singh Sarker, Sj. Satish Chandra Ben, The Hon'ble Prafulla Chandra Bhamsui Huq, Janab Sirha, The Hon'ble Bimai Chandra Zaman, Janab A. M. A.

The Ayes being 9 and the Noes 47 the motion was lost.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the Calcutta Municipal Bill, 1951, as reported by the Select Committee be taken into consideration was put and a division taken with the following result:

## AYE8-46

Abduilah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushii Kumar
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass, Sj. Kanaliai
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Maiti, The Hon'ble Nikunja Behari
Majin, Sj. Nishapati
Majundar, The Hon'ble Bhupati
Majundar, The Hon'ble Bhupati

Maillok, Sj. Ashutosh
Mandal, Sj. Annadaprasad
Mandal, Sj. Rankubehari
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hossain, Dr.
Mookerji, The Hon'bie Kalipada
Mudassir Hossain, Janab
Murarka, Sj. Basantial
Naskar, The Hon'bie Hem Chandra
Panja, The Hon'bie Jadabendra Nath
Pentony, Mr. L. R.
Piatel, Mr. R. E.
Poddar, Sj. Anandilal
Pramanik, Sj. Rajani Kanta
Rafiuddin Ahmed, The Hon'bie Dr.
Roy, The Hon'bie Dr. Bidhan Chandra.
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'bie Prafulia Chandra
Shamsul Huq, Janab
Sinha, The Hon'bie Bimai Chandra

#### NOES-9.

Bandyopadhyaya, 8j. Pramatha Nath Banerjee, 8j. Sibnath Banerji, Dr. Suresh Chandra Basu, 8j. Hemanta Kumar Basu, 8j. Jyoti

Chatterjee, Sj. Haripada De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Sen, Sj. Debendra Nath

The Ayes being 46 and the Noes 9 the motion was carried.

#### Clause 1.

The question that Clause 1 do stand part of the Bill was then put and agreed to.

#### Clause 2.

The question that Clause 2 do stand part of the Bill was then put and agreed to.

#### Clause 3.

The question that Clause'3 do stand part of the Bill was then put and agreed to.

#### Clause 4

The question that clause 4 do stand part of the Bill was then put and agreed to.

#### Clause 5.

Sj. DEBENDRA NATH SEN: On a point of order, Sir. This clause mainly deals with Definitions. I would like to draw your attention to subclause (17) of this clause where the definition of "Commissioner" is given and if this definition is accepted now, then, may I enquire whether or not our amendments particularly amendments Nos. 13 and 14 would be declared out of order and whether or not all our discussions on clause 19 will also fall through. So this is my point of order, Sir.

Mr. SREAKER: Well, I rule out that point of order.

8]. DEBENDRA NATH SEN: On a point of information, Sir. I would like to draw your attention to amendments 13 and 14 and I should like to know whether they will be declared out of order.

Mr. SPEAKER: I think both the amendments are out of order. I do not know whether Government will like clause 5 to be passed at this stage. At this stage sometimes it becomes necessary to put some amendments to the definition clause.

The Hon'ble Dr. BIDHAN CHANDRA ROY. There is no objection to keeping sub-section (17) in abeyance.

Mr. SPEAKER. All right. It is held over.

(Clause 6.)

Dr. SURESH CHANDRA BANERJI: বেই তিনটা authority গঠনের ব্যবস্থা করা হরেছে সে সম্বন্ধে আমাদের যে আপত্তি তা আমরা আগেই প্রকাশ করেছি। আপত্তি বণ্ডনের জন্য মধ্যমন্ত্রী ডা: রায় একটা কথা বলেছেন। তিনি বলেছেন—''আমরা Bombayce pentarchy, এবং যাদ্রাজে যে অপকৰ্মা অৰ্থাৎ একটা authority **जा**यशीय স্থাপন করা তা সমর্থন করেছেন। সাধারণত: দেখা যার, মানুমের যখন অংধাগতি হয় তখন সে পরের ভালো কিছু একেবারেই গ্রহণ করে না। তথু যা কিছু তার মন্দ তাই গ্রহণ করে। বোছেতে অনেক কিছু তাল আছে, জন্যান্য প্রদেশেও জনেক কিছু ভাল আছে। বোষেতে বে বাদক্ষরণা বছের ব্যবস্থা আছে তা এঁর। প্রছণ করেন नारे। প্रश्न कतात्र कथा वरता वरलन, Bengal is Bengal- চমৎकात्र युक्ति। त्वारक अ माजारकात्र जानारे। न्दिन ना बाबाशका न्दिन ।

বখন Calcutta Municipal Bill বৰ্গীৰ সুৰেক্ত নাথ ব্যানাজি পাশ কৰেন, তখন আৰৱা revolutionary ছিলান, কিছ তা সংখও তখন আৰৱা বলেছি সুৰেক্ত নাথ এই একটা ডাল কাজ কৰলেন। তখনকাৰ দিনে Calcutta Municipal Act সৰক্ত তাৰতবৰ্ণেৰ আদৰ্শস্থানীৰ ছিল। এতে অবণা কটা ছিল—নে কটাটা বচ্ছে—Adult Franchiseএৰ অভাবে। এবং এই এক কটাৰ কাঁক দিবে সৰ গলদ চুকে সৰ্বনাশ সাৰৰ কৰেছে। কিছ তখনকাৰ দিনে—this was reactionary—এখন আনাদেৰ কৰ্ত্তৰা ছিল সেই কটা সংশোধন কৰে তাৰতেৰ শীৰ্ষভান অধিকাৰ কৰা—as regards the Municipal Act. কিছ সেটা ক্ৰবাৰ ক্ৰতা আনাদেৰ নাই, কাৰণ সভিয়েকাৰ গণতৰে আৰৱা বিশাস কৰি না। এবং সেই জন্য অন্যান্য পুদেশে বে সৰ কটা আছে সেই সৰ অনুসন্ধান কৰে বেৰ কৰে সেইগুলি Calcutta Municipal Actএ চুকিবেছি। এই বে অব্যক্ত—এই বে অপ্কৰ্য্য তাৰ পুতিবাদ সহ এই বিনেৰ আনি তীৰু পুতিবাদ কৰছি।

Sj. DEBENDRA NATH SEN: Sir, I oppose this clause because it divides the authority of the Calcutta Corporation and in support of this division of the authority the Chief Minister has advanced three arguments. The first and the main argument is that such a state of affairs exists in Bombay and Madras. His second argument is that it is after all an experiment and future legislators, if they find it not workable, can change

it. His third argument is that not only there is such a division of powers in Bombay and Madras but they have been working quite successfully. We do not know whether these experiments have worked successfully in Bombay and Madras. Rather our information is that they are not working successfully in those two cities. People there are now thinking of changing their present system. While the people in those two States are now thinking on that line, it seems strange that West Bengal should be imitating the same features of the Acts that are now obtaining in Bombay and Madras,—features that are being opposed by people and members of the Legislatures there. It may take some months for them to change their Acts but these things are being talked of and discussed there.

Secondly, Sir, if we are to take examples from other provinces, then why should we take examples from only Bombay and Madras. There are other provinces also in India where other systems have worked and worked successfully. And why should we limit our choice of examples to India alone? Why should we not try the experiences and examples of other countries where the experiments on municipal administration had been going on for ages and if we take their experience then we will find that nowhere in the world is this division of Corporation authorities or municipal authorities now the practice or rule. That is the case in United Kingdom, that is the case in most of the States in the United States. If it be an experiment, then it is an experiment to the disadvantage of the people and it is an experiment which because this Assembly is also going to be dissolved should not have been done just now. That argument might have been brought in one year ago but just when we are dissolving it does not lie for any Ministry to say that we begin an experiment at this fag end because by your experiment you bind down the future. They will have some difficulties, they will find an accomplished fact, they will not begin in a vacuum; they will begin with an accomplished fact which may be an obstacle and hindrance in their way. Therefore I oppose this clause and I think the arguments advanced are not tenable.

#### Point of information.

- Janab MD. KHUDA BUKHSH: On a point of information, Mr. Speaker. I understand that the members opposite are functioning as the recognised Opposition of this House, and Dr. Suresh Banerji is now recognised to be the honourable leader of the Opposition. Sir, after the honourable leader of the Opposition has spoken on a certain clause, is it in the established traditions of parliamentary practice for any other member of that party to speak?
- SJ. SIBNATH BANERJEE: In this point I would like to make my submission. Usually the leader initiates the debate and the others follow.
- Mr. SPEAKER: It does not require any elucidation. So far as the statement of fact is concerned, I have not yet officially passed any orders. It may be that as soon as the number is 9, they become a party—I have not officially passed any order. So please wait till they are officially recognised.

In regard to the other point, that is no point, because sometimes the leader of the Opposition initiates the debate and sometimes other members also initiate.

8]. HARIPADA CHATTERJEE: বাননীর সভাপাল বহাণর, আদি এই clauseটার বিরোধিতা করছি। আদি বে amendmentibl বিরেছিলাব কেটা আপনি out of order করেছেল, বে সখতে আবি কিছু বলতে চাই না। আবার কথা হচেছ কবিশিনার শক্ষটা পরিবর্তন করে পুত্ "master"

ক্ৰাচ্চ দিনেই ভান হয় এবং Corporation ক উৰু তাঁৱা সুন্দরভাবে চাপতে পাবেন। কানপ, এই পুজুকে তাঁৱাই নিযুক্ত করবেন। আনাধের এই ক্রেন্ডেন্সে নির্দৃত্বতা ও বেচকাচারিতা বে কতনুর বেতে পাবের ভা ভেবে পাই না। দেশে আন্দু ভিজেন পুতিখেনি সকলেই তনতে পাচেছ্ন, কিছ এরা পাচেছ্ন না। বে স্বছে আলোচনা করারও নবর নাই। কিভাবে কর্ণোবেশনকে পকেটছ করা বায় কেন্স্ন্যু তাঁরা উঠে পড়ে লেগেছেন ক্রিশনারকে তাঁরা নিযুক্ত করবেন, চাকরীর মেয়াদ বাড়াবেন, আবার তাঁরাই তাঁকে ভাড়াবেন। অর্থাৎ বে রকম ইচছা কর্ণোবেশনের উপর ক্রিশনারকে চাপিয়ে দিচেছ্ন। ক্রিশনারকে একান্ত বশহদ ও ক্রপোরেশনের পুতু করে এই ২৮ বারা বেখানে বলা হরেছে "Subject to the provisions of this Act and of any rules, by-laws and regulations made thereunder, the entire executive power for the purpose of carrying out the provisions of this Act shall be vested in the Commissioner."

২৩ ধারা বিশ্বেষণ করলে আরো দেখা যাবে যে, কর্পোরেশনের কোন কমতা নাই, সমন্ত কমতা, executive authority, কনিশনারের। এবং কর্পোরেশনের memberরা তাঁর কাছে যাবেন ঠিক জো-ছুজুর করে। তার কারণ Section 40(1) এ আছে যে "Any Councillor or Alderman may call the attention of the Commissioner to any neglect in the execution of municipal work, to any waste of municipal property, or to the wants of any locality and may suggest any improvement which he considers desirable".

এই পর্যন্তই যথেষ্ট। আমি দেখাবার চেষ্টা করছি যে, কমিশনারই সর্বময় কর্তা হবেন। কোন Councillor যদি বলেন এই কাজটা করা দরকার, কমিশনার ইচছা করলেই বলতে পারেন না মশাই, এই কাজ আমার হারা হবে না। এই সমস্ত ব্যাপারটা foresee করেই আমি প্রভু master শক্ষান দিতে চেয়েছিলাম। প্রভু এই শক্ষা থাকলে ভাল হয়। এই ব'লে আমি এই clauseটার বিরোধিতা করছি।

Sj. HEMANTA KUMAR BASU: মাননীয় শীকার মহাশ্ম, আমি শুধু এটা বলতে চাই বে, আমাদের বর্তমান Government যেমন elected representative হারা formed হয়েছে তেমনি Calcutta Corporations নির্ণাচিত পুতিনিধি হারা গঠিত হওয়া উচিত; এবং ওাঁদেরই হাতে শাসন পরিচালনার তার থাকা উচিত। সেদিক থেকে আমি মনে করি এই amendmentটা গহীত হওয়া উচিত।

The question that clause 6 do stand part of this Bill was then put and a division taken with the following result:—

### AYE8-44.

Abdullah, Janab S. M.
Abdus Shekur, Janab
Banerjee, Si. Sushil Kumar
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanallal
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan, Jah Saiyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati
Majundar, The Hon'ble Shupati

Mai, Sj. Iswar Chandra
Mailiok, Sj. Ashutosh
Mandal, Sj. Annadaprasad
Mandal, Sj. Bankubehari
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Misra, Sj. Sowrindra Mohan
Mishammad Hossain, Dr.
Mookerji, The Hon'bie Kalipada
Mudassir Hossain, Janab
Murarka, Sj. Basantial
Naskar, The Hon'bie Hem Chandra
Panja, The Hon'bie Jadabendra Nath
Poddar, Sj. Anandilal
Pramanik, Sj. Rajani Kanta
Rafuddin Ahmed, The Hon'bie Dr.
Roy, The Hon'bie Dr. Bidhan Chandra.
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Roy Singh Sarker, Sj. Satish Chandra
San, The Hon'bie Prafulia Chandra
Shamsul Huq, Janab
Sinha, The Hon'bie Bimai Chandra
Zaman, Janab A. M. A.

## NOES-S.

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar

Basu, 8). Jyoff Chatterjee, 8j. Haripada De, 8j. Kanal Lai Sen, 8j. Debendra Nath

The Ayes being 44 and the Noes 8 the motion was carried.

# Adjournment,

The House was then adjourned at 7 p.m. till 3-30 p.m. on Monday the 1st October, 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 1st October, 1951, at 3-30 p.m.

## Present:

Mr. Deputy Speaker (Sj. Ashutosh Mallick) in the Chair, 12 Hon'ble Ministers and 60 members.

# STARRED QUESTIONS

(to which oral answers were given)

# Kalyani Town Development Scheme

- \*21. Sj. ANNADA PROSAD CHOUDHURY: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—
  - (a) the number of acres of land which has been acquired for the construction of Kalyaninagar and when, from whom and at what rate per acre has the land been acquired;
  - (b) what may be the approximate period of time the various proprietors from whom these lands are being acquired had these lands under their possession;
  - (c) what was the average sale price of land in this locality towards the end of 1946 and what may be the ruling price now;
  - (d) whether it is a fact that the developed land has been offered for sale at Rs.500 to Rs.750 per kottah;
  - (e) if so, what part of this is accountable for the developmental costs and what may be the total cost of development on different items;
  - (f) whether any sole agents have been appointed for the sale of this land;
  - (g) if so, on what terms and who are the directors, or proprietors or managers of the concern and how was the selection made; and
  - (h) what may be the total cost for building the colony and what may be the average cost per capita of persons who may find accommodation there?

MINISTER in charge of the LOCAL SELF-COVERNMENT DEPART-MENT (the Hon'ble Jadabendra Nath Panja): (a) About 10,437 acres. Information as to the names of individual owners of the land and the date of acquisition from, and the price paid to, each of them is not readily available, and its collection would involve a considerable amount of time and labour.

- (b) Government have no information.
- (c) About Rs.300 per acre towards the end of the year 1946. The present market value is about Rs.1,000 per acre.

- (d) One of the six blocks into which the area has been divided has been taken up for immediate development and the land in this block has been offered for 999 years' lease at rates of premium varying from Rs.545 to Rs.810 per kottah.
- (e) The entire amount of the premium is accountable for development costs and the cost of acquisition of the land.

A statement showing the total cost of development on the different items is laid on the Table.

- (f) Yes, for arranging leases of land in the block taken up for development at present.
  - (g) A statement is laid on the Table.
- (h) The total estimated cost is Rs.10,52,66,000 and the average cost per capita is Rs.421 approximately.

## Statement referred to in reply to clause (e) of starred question No. 21

## TOTAL COST OF DEVELOPMENT IN THE KALYANI TOWN

					Rs.
(1) Park	•• .	••	• •		32,20,000
(2) Surface drains	• •	• •	••		93,17,300
(3) Water-supply	••		••	••	83,71,000
(4) Sewerage	• •				1,42,50,000
(5) Roads	• •		••		2,27,73,628
(6) Electricity development and road lighting				••	1,28,08,000
(7) Electric sub-station (se	wage)	• •	••		84,850
(8) Electric sub-station (w	ater-supply	)	••		75,750
(9) Earthwork	••	••	••		1,95,40,012
(10) Boundary pillars		••		• •	7,76,430
(11) Staff quarters	••	••	• •	• •	3,00,000
					9,15,17,470
Tools and plant 11 pe	r cent.	••	••	••	13,72,762
					9,28,90,232
Contingencies at 5 per	cent.	• •	• •	••	46,44,512
Work establishment 2	per cent.	••	• •	••	23,22,256
General establishment	• ••	• •	••	•••	9,98,57,000 54,09,000
Total cost of improven	nent		••		10,52,66,000
Cost of land acquisition	n ·	• •	• •		75,84,000
			Total cost	••	11,28,50,000

Statement referred to in reply to clause (g) of starred question No. 21

# APPOINTMENT OF BROKERS FOR LEASING OUT LANDS IN THE KALYANI TOWN

The terms are-

- (a) The brokers appointed are to be responsible for proper publicity.
- (b) 40 per cent. of the total number of plots is to be leased out within 14 months from 26th February, 1951, 66 per cent. within 26 months and the rest within 38 months.
- (c) Brokers are to furnish a security of Rs.10,000.
- (d) Brokers are to be paid commission at 1½ per cent. of the salami paid by lessees to Government. On due fulfilment of the terms they will be paid a bonus at ½ per cent. in addition. If the scheme is abandoned they will be entitled to commission at half the agreed rate on the plots remaining unsettled.
- (e) The agreement is liable to termination or modification by Governor if the brokers fail to act in accordance with the terms.

The partners of the concern are-

Sri Dharam Pal.

Sri S. C. Sarbadhikari.

Sri H. L. Chadha.

Sri J. Chadha.

Sri K. L. Chadha.

The selection was made by calling tenders.

Sj. ANNADA PROSAD CHOUDHURY: মাননীয় বন্ধী নহাপ্ত বলবেন কি তার answer (A)এতে ১০ হাজার ৪ শত ৩৭ acre acquire করার কথা বলা হরেছে, এর মধ্যে Railway lineএর পশ্চিমদিকে কি ৬,৮৪০ acre আছে ?

The Hon'ble JADABENDRA NATH PANJA: Yes.

8j. ANNADA PROSAD CHOUDHURY: আর Railway line পূর্ববিধে কি ২,৮০৫ acre আছে এবং অন্য দিকে ২,৯৬১ acre জমি দখন করা হইরাছিল। ইয়া কি সভ্য ?

The Hon'ble JADABENDRA NATH PANJA: I have not got the actual figures with me now.

Sj. ANNADA PROSAD CHOUDHURY: Defence of India Actua ৭৫ (এ) ধারা অনুসারে রেল লাইনের পশ্চিরদিকে যে ৬,৮৪০ acre Government acquire করেছিলেন বলে মাননীয় মন্ত্রী মহাশার বললেন,—আর পৃথ্ধদিকে ২,৮০৫ এবং অন্য দিকে ২,৯৬১ acre অধি—বোট, ১২ হাজার ৬ণ ৬ acre যে acquire করা হয়েছে, ৬৫,৭৭,৮৫১ টাকার—করী নহাশার কি তা অবগত আছেন ?

The Hon'ble JADABENDRA NATH PANJA: No, I have not got the actual figures with me here.

Sj. ANNADA PROSAD CHOUDHURY: এই যে ১২ হাজার ৬ শত ৬ acre Defence of India Act অনুসারে acquire করা হরেছিল, তাতে কত টাকা বরচ হরেছিল তা মাননীর মহী মহাশর অবগত আছেন কি? The Hon'ble JADABENDRA NATH PANJA: I want notice because I cannot give the correct figures from memory.

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8j. ANNADA PROSAD CHOUDHURY: এই developmentএর জন্য জনি বাবদ যে ৭৫ লক ৮৪ হাজার টাক। বরচ হয়েছে বলে বলা হয়েছে, সেটা কিভাবে বরচ হয়েছে বাননীয় বহী মহোদর বলবেন কি ?

The Hon'ble JADABENDRA NATH PANJA: এবানে notice ছাড়া সঠিক বলা সম্ভব নর। অনেকের tenancy right ছিল—ভাদের টাকা দিতে হয়েছে, জমিদারদের দিতে হয়েছে, ভাছাড়া আরো কিছু কিছু right থাকা সভব, না দেবে বলা যাবে না। সম্ভ মিলিয়ে ঐ টাকা হয়েছে, কিসেকত থরচ হয়েছে না দেবে বলা যাবে না।

8j. ANNADA PROSAD CHOUDHURY: এই যে ১২,৬০০ শত একর জনি Defence of India Act অনুসারে acquire করা হয়েছে সেই জনির ২০০ একরে কৃনিয়া বিল, ৬০০ একরে একটা যক্ষ্যা হাসপাতাল, ও জাতীয় স্বেচছাসেবক বাহিনীর কার্য্যালয় অবস্থিত, এই জনির উনুয়নের জন্য প্রয়োজনীয় অর্থ কি সরকার দেবেন?

The Hon'ble JADABENDRA NATH PANJA: I have already said that I have not got the actual figures with me here and so I cannot exactly say what is the position.

The Hon'ble Dr. BIDHAN CHANDRA ROY: May I ask what is his question and what information does he want? I can give the information.

8j. ANNADA PROSAD CHOUDHURY: আমার পুণুটা হচেছ—এই যে ১২,৬০০ শত একর জবি Defence of India Act অনুসারে acquire করা হয়েছে সেই জবিব দু'শো একরে কুলিয়া বিল আর ৬০০ একরে একটি যক্ষ্যা হাসপাতাল ও জাতীয় খেচছাসেবক বাহিনীর অফিস অবস্থিত, এই জবির উনুয়নের জন্য পুয়োজনীয় টাকাও কি সরকার দেবেন গ

The Hon'ble Dr. BIDHAN CHANDRA ROY: No. ना।

8j. ANNADA PROSAD CHOUDHURY: তাহলে ঐ খরচটা কে বহন করবে?

The Hon'ble Dr. BIDHAN CHANDRA ROY: They will be debited to the respective departments.

8j. ANNADA PROSAD GHOUDHURY: এই বে পুার ২১ কোটি টাকার পরিকল্পনা সে অনুযায়ী কি কার্য্য সুরু হয়েছে, এবং কতদুর বা অগ্রসর হয়েছে যাননীয় মন্ত্রীমহোদয় জানাবেন কি ?

The Hon'ble JADABENDRA NATH PANJA: I want notice.

8j. ANNADA PROSAD CHOUDHURY: আমার জিল্লাস্য হচেছ কি কি কাঠ্য সুরু হয়েছে।

The Hon'ble JADABENDRA NATH PANJA: I want notice.

8j. ANNADA PROSAD CHOUDHURY: এই পরিকলপনা অনুবারী per capita ৪২১ চাকা ব্যবিত হবে—নাননীয় মন্ত্রী মহাশন্ত কবেবন কি এতে কত লোক বসবাস করতে পারবে ?

The Hon'ble JADABENDRA NATH PANJA: পাডাই লক বোক।

8j. ANNADA PROSAD GHOUDHURY: বাননীর বরী বহাপর জানেন কি ১৯৪৭ সালে কি এখানে ৬০ হাজার লোকের বসবাসের পরিকল্পনা করা হয়েছিল ? বদি তত্রপ হয়ে খাকে, তবে এখন কেন সে জারগার আভাই লক্ষের ব্যবহা⊷ হলো ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: This is besides the point. I do not know what reference he is making. Let him come to the point.

\$j, ANNADA PROSAD CHOUDHURY: এই পরিকল্পনা অনুসারে বে ২৪ বক্ষ লোকের বসতির ব্যবহা করা হবে তাতে প্রতি একরে গড়ে কত লোকের বসতি হবে—মহী বহাপন পরা করে বলবেন কি? (The Hon'ble Prafulla Chandra Sen: हिरान करून)।

The Hon'ble Dr. BIDHAN CHANDRA ROY: If you can divide up the 11 crores of rupees you can yourself find the answer.

8j. ANNADA PROSAD CHOUDHURY: হিসাব করলে পুতি একরে হাওড়ার ন্যার ৫৮ জন ঘনবসতি আক্রল হয়ে বসবাস করতে পারে এটা কি সতাঃ

The Hon'ble Dr. BIDHAN CHANDRA ROY: Nobody will be given less than 5 cottahs and nobody will be given more than 10 cottahs but one man can probably take in two or three plots.

8j ANNADA PROSAD CHOUDHURY: আমার প্রশুটা হচেছ দশহাজার একরে বদি হা। লক্ষ লোকের বসতি স্থাপন হয় তবে হিসেবে দেখা মায় হাওড়ায় যেমন পুতি একরে ৫৮ জনের বসতি, নেখানেই তেগ্নি, বনবসতি দাঁড়ায়, সরকার নূতন একটা town পতান করতে যাচেছন সেটাকেও কি ঐ হাওড়ার মতনই খনবসতিপূর্ণ করতে চান ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: If my friend will come to me because I am partly responsible for this development question, I shall satisfy him that it is not so.

8j. ANNADA PROSAD CHOUDHURY: ঐ জারগার কি কাজ আরম্ভ হয়েছে? মাননীয় মন্ত্রীমহাশ্য কয়বার বলেছেন যে notice পেলে দেখবেন, নৈলে বলতে পারবেন না, কিন্তু ঐ জারগার গাছ কেটে যে শেষ করা হয়েছে, যে green land ছিলো সেটা শেষ হয়ে গেছে তা জানেন কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: लाप बारन कि?

Si. ANNADA PROSAD CHOUDHURY: এই क्षित्र बर्गा त्व शीक---

The Hon'ble NIHARENDU DUTT-MAZUMDAR: আপনার কি গাছের উপর বাস। বাঁধতে চান ঃ

8j. ANNADA PROSAD CHOUDHURY: আপনার। সবই করতে পারেন, এক দিকে বনমহোৎসব করে চারা গাছ লাগাবেন আর একদিকে বড় বড় গাছগুলি কেটে সারাড় করবেন। এখন আরার প্রশু ছচেছ যে ঐ অমির মধ্যে যে তিনটি বিল আছে কুলিয়। বিল, মাটিকাটা বিল, থাকরাদহ বিল, সেগুলি ফি Fishery Department থেকে tender call করে বিলি করা হয়েছে না সরকারের দখলে এবনো বরেছে ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: এ সমতে Fishery Departmentকে জিলালা করবেই ভাল হয়।

8j. ANNADA PROSAD CHOUDHURY: এই খনি বিক্রম করার খনা বে broker appoint করা হবে নেটা কি Bengal Development Corporation?

The Hon'ble JADABENDRA NATH PANJA: रागः

8j. ANNADA PROSAD CHOUDHURY: বাননীয় বহী বহাপৰ কলবেন কি ভার। বে tender call করে বাদের broker appoint করা হয়েছে তাদের antecendentএর কোন খোঁজ নেওয়া হয়েছিল কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: You mean the Police report?

8]. ANNADA PROSAD CHOUDHURY: No, Sir, there can be many other things.

8]. DEBENDRA NATH SEN: Antecedents in black-marketing, corruption, etc.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I think some members here always think in terms of black-marketing and corruption. They may give the information.

- 8j. JYOTI BASU: Sir, two Ministers are sometimes standing up to answer the same question. I think the matter may be settled between them.
  - Mr. DEPUTY SPEAKER: I think, it concerns both.
- 8J. ANNADA PROSAD CHOWDHURY: In any way, Sir, I want an answer.
  - Mr. DEPUTY SPEAKER: Put your question again.
- 8]. ANNADA PROSAD CHOUDHURY: এই যে Bengal Development Corporationক tender call করে broker appoint করা হয়েছে তাদের antecedent সম্বন্ধ কোন অনুসন্ধান করা হয়েছিল কিং

The Hon'ble Dr. BIDHAN CHANDRA ROY: No.

8j. ANNADA PROSAD CHOUDHURY: মাননীয় মন্ত্রীমহাশয় বলবেন কি এই Corporationএর অংশীদার যে S. C. Sarbadhikary—তাঁর পরা নামটি কি ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is the name which was given to us. I do not know the full name.

Sj. ANNADA PROSAD CHOUDHURY: মাননীয় মন্ত্ৰীমহাশয় বলবেন কি ইনি বা এঁর বাবা কি Public Service Commissionএৰ member ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have no information.

**Sj. DEBENDRA NATH SEN:** With regard to reply (e), will the Hon'ble Minister be pleased to state whether these three Chadhas are related to one another and, if so, in what way?

The Hon'ble JADABENDRA NATH PANJA: I do not know.

**SJ. BIMAL COMAR CHOSE:** With reference to answer (e) will the Hon'ble Minister be pleased to state what he means by "amount of premium"?

The Hon'ble JADABENDRA NATH PANJA: Lease নিতে হলে টাকাটা advance করতে হবে, সেটা হইল premium.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state what estimated profit will be earned by Government on the whole transaction?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I can tell you that Government do not propose to make any profit whatsoever as it is intended for the public.

**3j. BIMAL COMAR CHOSE:** Will the Hon'ble Minister be pleased to state what portion of the 10,437 acres will be available for sale after the development?

The Hon'ble Dr. BIDHAN GHANDRA ROY: On an average three thousand acres of land will be required for roads, parks, etc., and the remaining 7,000 acres will be available for sale.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state, if the land is sold on an average between Rs. 500 and Rs. 800 or at Rs. 700 per cottah, even if one-half of the total acreage is sold, the price would come to 15 crores?

The Hon'ble Dr. BIDHAN CHANDRA ROY: If Mr. Ghose will come to my room any day I shall certainly satisfy him that we are not making any profit.

**8j. BIMAL COMAR CHOSE:** I do not think that for this simple accounting I need go to Hon'ble the Chief Minister's room. If a cottah is sold at Rs. 700 and if 5,000 acres or 15,000 bighas of land are available for sale, the total amount comes to Rs.  $15,000 \times 20 \times 700$  which is approximately Rs. 15 crores. Anybody can verify that. Will the Hon'ble Minister be pleased to state if that is a correct statement?

The Hon'ble Dr. BIDHAN CHANDRA ROY: In that case we cannot give you any further statement.

**8j. DEBENDRA NATH 8EN:** Will the Hon'ble Minister be pleased to state whether the word "premium" used with reference to (d) and the word "salami" used in connection with payment to brokers, have my difference between the two?

The Hon'ble JADABENDRA NATH PANJA: There is no difference between salami and premium.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state the total commission which this firm will be getting as a result of leasing out of land?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That will depend upon the sale.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state what will be the value of average sale price after all development has been completed.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Unless you give notice I cannot give you all those figures.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether while the land per acre was purchased at Rs. 300 only, the sale price of the very same land comes to Rs. 19,660 per acre?

The Hon'ble JADABENDRA NATH PANJA: আপনি যে টাকার কথা উল্লেখ করলেন সেটা হচেছ Tenancy right বাবৎ, Buildingএর জন্য যে ধরচ হবে তা পুনরায় Governmentকেই দিতে হবে। Calculate করলে দেখা বাবে এই figure থাকবে না।

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state as to who or which committee made this selection of tenders? There is a reply where it is said that the selection was made by calling tenders. My question is who or which agency made this selection.

The Hon'ble Dr. BIDHAN CHANDRA ROY: We have got a Board which made the selection—the Development Board.

8j. DEBENDRA NATH SEN: Who are the members of the Board?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Government.

8j. ANNADA PROSAD CHOUDHURY: Development করবার জন্য ১১ কোটা ২৮ লক্ষ্ণ টাকা থরচ করার ৪ মাস পরে Developmentএর chargeএর বে মন্ত্রী আছেন, তিনি যদি এখনও বলতে না পারেন, কি কি কার্ম আরম্ভ করা হমেছে, তা'হলে তাকে জিল্লাসা করি তার উত্তরটা সংগত হমেছে কিনা ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: He is making a mistake. I may inform him that I am in charge of Development and not he.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether there were other persons save and except the persons chosen responding to the call for tender and, if so, what are the names of those persons?

The Hon'ble Dr. BIDHAN CHANDRA ROY: We cannot give you the names—notice.

# Amendments of the Public Service Commission Regulations

- \*26. Sj. BIMAL COMAR CHOSE: Will the Hon'ble Minister in charge of the Finance Department be pleased to state—
  - (a) the reasons why Bengal Public Service Commission Regulations, 1937, were amended in January, 1949, by insertion of a new clause 35A;
  - (b) the number of appointments, if any, made by Government under the new clause 35A mentioning the names of the incumbents and their remunerations:
  - (c) whether any other amendments have been effected in the Bengal Public Service Commission Regulations since January, 1948;
  - (d) if so—
    - (i) what these amendments are, and
    - (ii) the number of appointments, if any, made under each of these amendments mentioning the names of incumbents and their remuneration; and
  - (e) how many appointments have been made, mentioning the names of incumbents and their remuneration, without reference in the first instance, to the Public Service Commission where such appointments have under the Regulations to be made through the Public Service Commission?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (a) The amendment was made in order to ensure that the selection of specialists for appointment on contract to posts of a technical nature is made by Selection Committees composed of experts in the line.

- (b) A statement is laid on the Table.
- (c) and (d)(i) No other Regulation excluding consultation with the Public Service Commission in regard to appointments has been made since January, 1948.
  - (ii) Does not arise.
- (e) The honourable member is referred to the reply given by the Hon'ble Chief Minister on the 19th February, 1951, to a similar question of his (starred question No. 7).

Statement referred to in reply to clause (b) of starred question No. 26

Appointments made under Regulation 35A of the Public Service

Commission Regulations up to 31st March, 1951

Name of the post.	Name of the person appointed.	Pay attached to the post.	
Director of Publicity, West Bengal	Sri Amal Home	Rs.1,200 per month plus usual allowances and a car allow-	
Superintendent, Zoological Gardens, Alipore.	Sri B. K. Lahiri	Rs.600-50/2-900.	
Commissioner of Wakfs, West Bengal. Principal, Calcutta Madrasah	Janab Habibar Raha- man Chowdhury. Janab Syed Ahmed Akbarali.	Re. 800 per month plus dearness and other allowances. First year Rs. 550. Second year Rs. 550. Third year Rs. 600. Fourth year Rs. 600. Fifth year Rs. 650.	
Director of Health Services, West Bengal and Secretary (ex-officio) to the Medical and Public Health Department.	Dr. B. C. Das Gupta	Rs.2,750 per month plus motor car allowance of Rs.90 per month.	
Deputy Director of Health Services (Accounts, Audit and Verifications), West Bengal.	Sri K. S. Mitter	Rs.1,250 per month (inclusive of dearness allowance) plus house ront allowance as admissible under existing Government order and motor car allowance of Rs.90 per month.	
Public Relations Officer and Director of Public Information. Assistants to the Public Relations Officer and Director of Public Information.	Sri K. K. Roy Sri Jogendra Lal Roy and Mrs. Ava Bardhan.	Rs.600—1,000 per month inclusive of all allowances. Rs.300 inclusive of all allowances.	
Deputy Superintendent, Zoological Gardens, Alipore.	Sri Satya Narayan Chatterjee.	Rs.200—10—300.	
Professor of Sanskrit Language and Literature in the Post-Graduate Department of the Sanskrit College.	Dr. Sushil Kumar De, M.A., D.LITT. (LON- DON.)	Rs.1,000 initial pay in the scale of Rs.350—30—680—40—1,200.	
Professor of Indian Philosophy in the Post-Graduate Department of the Sanskrit College. Associate Professor of Indian Philosophy in the Post-Graduate Department of the Sanskrit	Mahamahopadhyaya Pandit Jogondra Nath Tarka Vedantatirtha. Dr. Kalidas Bhatta- charjee, M.A., Ph.D.	Rs.590+Rs.10 (personal pay) in the scale of Rs.350—30— 680—40—1,200. Rs.590 initial pay in the scale of Rs.350—30—680—40—	
College. Professor of Hadith and Tafsir.	Janab Abdul Halim	1,200. Rs.300—300—340.	
Calcutta Madrasah. Inspector of Tols under the Bangiya Sanskrita Siksha Pari- shat.	Siddiqui, Sri Panchanan Bhatta- charjee Shastri.	Rs.200—10—420—15—450.	

Total number of appointments=15.

8j. DEBENDRA NATH SEN: On a point of privilege, Sir. With regard to reply (e), the Hon'ble Minister has referred to a reply given on the 19th February, 1951. Will we be allowed to ask supplementary questions on that reply?

# Mr. DEPUTY SPEAKER: No.

Sj. DEBENDRA NATH SEN: It forms part of this reply and we demand that we be allowed to ask supplementary questions on that.

- Mr. DEPUTY SPEAKER: No. If it arises out of this reply, I can allow it.
- 8j. BIMAL COMAR CHOSE: The position is that that statement is part of the reply to this question.
  - Mr. DEPUTY SPEAKER: I will see when the question will be put.
  - 8j. DEBENDRA NATH SEN: It will arise just now, Sir.
  - Mr. DEPUTY SPEAKER: Put your question.
- **8j. BIMAL COMAR CHOSE:** Will the Hon'ble Chief Minister' be pleased to state, with reference to answer (a), as to what he means by "posts of a technical nature"?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Posts that need technical qualifications.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state if there are any posts which do not require some technical qualification?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is a matter of opinion.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state whether he considers that the Public Relations Officer is an office of a technical nature?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Yes, I do.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state if he is aware that the Director of Publicity or the Public Relations Officer are posts which are filled through the Public Service Commission by the Central Government?

The Hon'ble Dr. BIDHAN CHANDRA ROY: May be, I do not know.

8j. BIMAL GOMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state that there are many other posts relating to the Education Department which have been filled through the Public Service Commission whereas only a few here have been made under section 35A?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is so.

8j. BIMAL GOMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state whether he considers the appointment of the Professor of Philosophy as a technical appointment and whether the appointment of Professors of English and Physics as not a technical appointment?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Yes, the selection of these Research Professors requires highly technical men—men who are experts in Philosophy—to deal with that and the Expert Committee that was appointed was presided over by His Excellency Dr. Radhakrishnan—the other members of the Committee were Mr. Justice Bijan Kumar Mukherji, Dr. Suniti Chatterji and the Principal of the Calcutta Sanskrit College.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state if he is aware that when the Public Service Commission make appointments, they also invite experts to sit with them for making appointments?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Yes, I am aware of that, but that is not incumbent upon them.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state if for any post of a technical nature made or filled by the Public Service Commission, as a general rule, they always invite experts to sit with them?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not know about the practice, but there is nothing binding them to do so.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether the members of the Public Service Commission were chosen with a view to seeing that they possess capacity for making selection for technical posts also?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Not necessarily.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether the present members of the Public Service Commission have any capacity for selection of technical persons or not?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That is a problemetical question to which I do not answer.

8j. DEBENDRA NATH SEN: With reference to answer (a) last but one line where it has been stated that the selection is made by a Selection Committee, will the Hon'ble Minister be pleased to state as to who were the members of the Selection Committee for making the appointment of Sri Amal Home?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot give you the exact names—I can tell you later on—but the committee is always appointed by the Cabinet and not by any individual Minister.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether it is a fact that there was no Selection Committee for selecting Sri Amal Home?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not agree with you.

8j. JYOTI BASU: Will the Hon'ble Minister be pleased to state what exactly are the qualifications of Sri Amal Home and Sri K. K. Roy for the posts that they hold?

The Hon'ble Dr. BIDHAN CHANDRA ROY: They have just those qualifications for the posts for which they were selected by the proper Selection Committee.

**SJ. DEBENDRA NATH SEN:** With reference to answer (c) and (d)(i) stating that no other regulations were made since 1948—

The Hon'ble Dr. BIDHAN CHANDRA ROY: The reason for giving the answer in that form is—

8j. DEBENDRA NATH SEN: I have not yet put my question. Will the Hon'ble Minister be pleased to state whether it is a fact that Regulation 52 has been amended, Rule 29 has been amended and Regulation 31 has been amended and all in 1949?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I know but that is what I wanted to explain. The object of the questioner seems to be to find out about the amendments which refer to the question of appointments because his next question (d) says what these amendments are and the number of

appointments made under those amendments. Therefore, the answer has been given that no other regulation which excludes consultation with the Public Service Commission with regard to appointments were made since then, but there are other amendments, as you have mentioned, with regard to other matters but not with regard to appointments.

8]. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether it is a fact that the filling up of the post of the Administrator-General also has been excluded from the purview of the Public Service Commission and that too in 1949?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice—I do not know.

8]. JYOTI BASU: Will the Hon'ble Minister be pleased to state whether the posts of Director of Publicity and the Public Relations Officer were advertised?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am perfectly sure they were advertised, but I cannot tell you exactly on which dates they were made.

8j. JYOTI BASU: How many candidates appeared before the Selection Committee?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

8j. DEBENDRA NATH SEN: With reference to the reply given on the 19th February as to the number of persons appointed without reference to the Public Service Commission, will the Hon'ble Minister be pleased to state the reasons as to why out of the total of 19 such appointments, his department, viz., the Medical and the Home (Transport), took more than 12 persons?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Because they were the most technical appointments of the Government.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state what particular technical qualifications are required for an Inspector of Tols?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: After all it is necessary to determine which person is qualified to inspect the tols, because ordinarily there was no Inspector of Tols before. It was a new appointment and this new appointment had to be made for the inspection of tols. The Committee, I believe, was a committee which was presided over by Mr. Justice Bijan Kumar Mukherjee.

3j. DEBENDRA NATH SEN: With regard to the reply given on the 19th February regarding Sri Lal Behari Mazumdar, where it has been said that the post is proposed to be filled up through the Public Service Commission terminating the services of the present incumbent, will the Hon'ble Minister be pleased to state whether the present incumbent has been dismissed and the appointment of a new person is being arranged through the Public Service Commission?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

Mr. DEPUTY SPEAKER: Questions over.

3]. SIBNATH BANERJEE: Mr. Deputy Speaker, Sir.

Mr. DEPUTY SPEAKER: Wait a minute.

# Applications for leave of absence.

Mr. DEPUTY SPEAKER: I have received two applications from Messrs. C. E. Clarke and J. R. Walker asking for leave of the House for their remaining absent from the meetings of the Assembly during the current session.

I am reading out the applications:

- (1) "As I am obliged to be absent from Calcutta from today's date
  I write to request leave of absence from attending Meetings of
  the Assembly for the remainder of the current Session."
- (2) "As I expect to be absent from Calcutta until the end of September, I write to request leave of absence from attending Meetings of the Assembly should the House meet during the time I am likely to be away".

I think the House will have no objection in granting them the leave prayed for.

(Cries of "No, no" from Government benches.)

As I do not hear any dissentient voice, I take it that the honourable members have the permission of the Assembly asked for.

(Cries of "Yes, yes" from Government Benches.)

## Time for guillotine.

- Mr. DEPUTY SPEAKER: Before we take up the business of the House fixed for today, namely, discussion and voting of supplementary demands for the current year, I should like to announce that under subrule (3) of Rule 100 of the West Bengal Legislative Assembly Procedure Rules I have fixed 7-30 p.m. as the time for adjournment of the House for this day. Therefore the guillotine will fall at 6-30 p.m. I may also inform the House that the general discussion may continue up to 5 p.m.
- 8]. SIBNATH BANERJEE: Sir, on this also I have to make my submission. But I should like to make my previous submission first. That is this: we have been promised a non-official day
- কালকে ছুটা, পরগুদিন হয়ে আবার বন্ধ হয়ে যাচেছ,— মুন্তরাং আবাদের কবে non-official day আলোচনা হবে সেটা জানিয়ে দেওয়া হোক। আমি আগের sessionএ বলেছি, এবং ১৭ই তারিব থেকে রোজই বলছি আনাদের এই non-official day দেওয়া হোক। Speaker নহান্য রোজই বলছেন নিন্দ্রাই দেব, এই sessionএর মধ্যেই একদিন। কিন্তু পরিষ্ঠান্তের কাজ পরশু হয়েই এখন শেষ হয়ে যাচেছ, কাজেই পরশু আনাদের non-official day দেওয়া হোক। আনাদের শুবু এই রকম বাক্যে পুলুদ্ধ করে রাবা হচেছ। আনাদের পরিম্কার করে বলা হোক কবে দেওয়া হবে। আমরা যথেই time দিয়েছি। বারবার আমরা পাতন্ত্রিক notice দিয়েছি, তা সম্বেও আমরা জানতে পারছি না। স্কুতরাং এখন আমাদের জানিয়ে দেওয়া হোক কবে এই non-official day পাব।
- Mr. DEPUTY SPEAKER: I have understood your point. I understand that the House will continue after 25th of October and Mr. Speaker has given an assurance that you will have a non-official day. I am not in a position to say anything just now.
- Sj. SIBNATH BANERJEE: আনর। এই non-official day পূজার পরে চাই না, পূজার আপেই চাই। সপ্তাহে বাতা একদিন এই non-official resolution discussion করবার কথা। বুই সপ্তাহ হবে পেন, third week চলছে, এই third weekএর বব্যে আনর। কেন পাব না ।

- Mr. DEPUTY SPEAKER: I shall communicate your submission to Mr. Speaker.
- Sj. HARIPADA CHATTERJEE: তেপুনিস্পীকার মহোদর, আমাদের অনেক urgent matter discuss করতে হবে। এটা আগে না দিলে किँ করে হবে?
  - Mr. DEPUTY SPEAKER: We will now take up the general discussion.

## Supplementary Estimate for the year 1951-52.

#### Ceneral Discussions.

- 8]. SIBNATH BANERJEE: মি: তেপুনি স্পীকাৰ স্যার, আপনি আমাকে কিছু বলতে না দিয়েই আপনি বলে দিয়েছেন যে আজকে সাড়ে সাডটা পর্যন্ত এই discussion চলবে। পাঁচটার পর guillotine, তার মানে এক বণ্টা মাত্র time পাচিছ general discussion এর জন্য। General Budget discussion এর সমন্ন যেমন আমাদের সামনে আসে এবং তারপর তার যেমন general discussion হয়, তারপরে যেমন item by item discussion হয় এবং তারপরে vote নেওয়া হয়, এবানেও এই supplementary budgetএয় সমন্ন এই রকম কয়। উচিত। এক বণ্টা time অত্যন্ত insufficient তার চেমে বলে দিন না যে কোন discussion কয়তে দেওয়া হয়ে না।
- 8j. HARIPADA CHATTERJEE: শতথানেক Cut Motion দিয়েছি, তা যদি আমরা discuss করতে না পারি ডা'লের কি করে হবে।
  - Mr. DEPUTY SPEAKER: Let us begin General discussion.
- 8j. DEBENDRA NATH SEN: On a point of privilege, Sir. I should like to draw your attention to rule 104 which says that the Governor shall allot one or more days for discussion of the Supplementary Budget. I think your ruling goes against this rule altogether. I would request you to consult this rule and see what can be done. Further we demand that the discussion on food situation has never taken place in this House as yet, and I should like to take this opportunity of discussing the food situation in the Province. That will take at least two days. We therefore request you to allot two to three days for General discussion of this Supplementary Budget which is provided for in the rules.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Budgetএ না পাকলেও কি food situation in the Country discuss করতে হবে।

- Mr. DEPUTY SPEAKER: Please read rule 104(c) "for both such voting and discussion."
  - 8]. DEBENDRA NATH SEN: Sir, it does not contradict me.
- 8J. BIMAL COMAR CHOSE: Sir, the rule does not prevent you from allowing more than a day. You can, if you like, finish it within a day, but the position is that it does not prevent you from allowing more than one day and the members here are submitting that one day is not enough.
- Mr. DEPUTY SPEAKER: With regard to the Budget, days are allotted by the Governor and we have nothing to do in this matter. Let us begin General discussion of the Supplementary Budget.
- Dr. SURESH CHANDRA BANERJI: তা'হলে আমাদের ঠিক হচ, কি? সাঙ্গে ঠিক করতে হবে আমাদের কর্মনিন ক্ষেত্রন।

Mr. DEPUTY SPEAKER: I have made my point perfectly clear, namely one day for General discussion and voting on the same day.

\$j. SIBNATH BANERJEE: মাননীয় ডেপুটা স্পীকার মহাপয়, time এত কম দেওয়া হয়েছে বে gei eral discussion একটা farce হয়ে গাঁড়াবে। যাই হোক এই অলপ সময়ের মধ্যে আমি দু-একটা কথা বলতে চাই, যে টাকাটা চেয়েছেল সেটা পুব বেশী নয়—১৬ লক্ষ টাকা মাত্র। Parliamenta বেখানে ২০ কোটা টাকা চেয়েছেল, সেখানে আপনার। ১৬ লক্ষ টাকা চেয়েছেল, এটা তার তুলনার খুব কমই বলতে হবে। We are grateful for the small mercies. কিন্তু একটা জিনিম বেশী করে চোবে পড়ে, সেটা হচেছ আজকে এর মধ্যে foodএর জন্য কোন কথা নাই। কেন নেই? এই হাউসে আমরা বারবার বলেছি যে, জলপাইওড়ি ও কুচবিহারে চালের দাম বেড়ে গিয়েছে।

Mr. DEPUTY SPEAKER : शतिकार करत वन् न।

8j. 'SIBNATH BANERJEE: তাঁর যদি এই suffering humanityর পুতি দরদ থাকত তাহলে নিশ্চরই তিনি একটা test relief ও gratuitious reliefএর বন্দোবন্ধ করতেন এবং তা'হলে এই supplementary estimated টাকার পুরোজন হ'ত। কিন্তু তাঁরা বলছেন আজ দেশে famine নাই, অনাহারে লোক মরছে না, চালের দর বাড়েনি।

Mr. DEPUTY SPEAKER: Order, order, please be relevant.

Si. SIBNATH BANERJEE: Hunger strike সম্বন্ধে আলোচনা করবার জন্য আমরা স্পীকার মহাশ্যের কাছ থেকে permission পাই নি। এই ক্লিকাতা সহরেই blackmarket থেকে পাঁচ দিকার কৰে চাল পাওয়া যাচেছ না। এই অবস্থা, মিনিপ্টাররা বলছেন যে, অনাহারে দেশে কেউ মরছে না। সংবাদ-পত্রে অনাহারে মৃত্যু সংবাদ প্রকাশ হয়েছে তা তাঁরা বলেছেন যে এটা মিথ্যা কথা । আমি বলছি যদি সংবাদপত্র মিধ্যা ধবর প্রচার করে থাকে তবে তাদের prosecute করা হোক। আমি জানি আজ দেশের বহু স্থানে, চালের অভাবে বহু লোক কচ, পচা আলু ইত্যাদি অধাদ্য জিনিম খেতে বাধ্য হচেছ। যাতে সকলে ঠিকভাবে খেতে পায় তার বলোবন্ত ককন। বারাসাতে তারা ছয় সাত দিন hunger strike করবার পর, সেখানকার লোকদের যাত্র ১০, হাজার টাকা gratuitous relief দেবার বাবস্থা হয়েছে। আজকে চাল ও আটার দাম এত বেশী যে তার। এই control rate ও তা কিনে খেতে পারছে না। তাদের মরে যেটুকু খান, চাল ছিল তা সব খেয়ে শেঘ করে ফেলেছে, এখন তাদের ভিক্ষা করা ছাড়া আর কোন উপার নাই। এখানে গড়র্ণবেণ্ট gratuitous relief দিয়েছেন মাত্র ১০ হাজার টাকা। এতে कি করে চলবে তা জাবি না। বেখানে অন্ততঃ লক্ষ্ণ টাকার দরকার, শেখানে তারা যাত্র ১০ হাজার টাকা as gratuitous relief দিয়েই তাঁদের কর্তব্য শেঘ করে দিয়েছেন; আবার বড়াই করে বলে থাকেন, আমর। অনেক কিছ করছি। এটা অতান্ত मझ्यात कथा। जामात बखना शतक व और Supplementary Budget व मत्या जातक तन्त्री করে এই সমস্ত gratuitous reliefuর ব্যবস্থা করা উচিত ছিল। কিন্তু তাঁরা দেশের লোকের এই শোচনীয় অবস্থা দেখেও, তাদের প্রতি অবহেলা করেছেন; তাঁরা জ্ঞানপাপী। এই সম্পর্কে আমাদের discussion পর্যন্ত করতে দিতে রাজী নন। তারা এই Supplementary Budgetএর মধ্যে এটা commission করেছেন। এটা থাকলে পাছে আলোচনা করতে হয় সেই জনা তাঁর। back-door দিয়ে কাঞ্চ করছেন। এই হাউসের একজন সদস্য বলেছেন যে বর্তমানে জলপাইগুড়ি ও কুচবিহারে দুই টাকা করে চাউলের সের, স্বতরাং দেখানে পুনরায় হয়ত গুলি চালান প্রয়োজন হয়ে উঠবে। এর উত্তরে ধাদ্যমন্ত্রী बर्लाइन य त्रथारन ठाल गत्रवतार कत्रवात क्रमा जामता यर्थहे (ठहे। क्रति । जामि बत्तरक ठाँदै य त्रथारन test relief ও gratuitous reliefএর বিশেষ প্রয়োজন, কিন্ত তার বলোবত এই Supplementary এর মধ্যে কিছই করেন নি। এই হ'ল আমার প্রথম ও প্রধান বক্তব্য। তারপর ধবরের কাগজে प्रबट्ड পार्किइ व रिमिनको पूर्व भाकिश्वान (शरक लाक प्यानहाइ এবং नियानमञ् ও शाउड़ा Railway Stationa जना शतकः। এদের reliefaর जना वर् होनात প্রোজন কিন্ত তার উল্লেখ এই Budget-अन्न गर्या नारे। जारमन ठिक्नण dole नर्रत रमधना शत्क ना। जारमन नर्यहे होना नरबाह কিছ তাঁর। তাদের কোন ব্যবহা করছেন না, করার ইচছাও নাই। **উরা বদি বদেনও বে তাঁ**দের টাকার অভাব, তাহলে তাঁর। Central থেকে টাকা বার নিরে, এদের বলোবন্ধ করতে পারেন। মন্ত্রীসহাশরর। আনাদের হাফ-পেণ্ট পরবার উপদেশ দিরেছেন, সেটা না হয় সানতে চেটা করতে পারি, কিছু দেশে খাদ্য না হ'লেও একেবারে সব অচল হয়ে পড়বে।

তাঁর। অন্য খরচ বাবদে এত টাকা চাচেছ্ন, কিন্তু বেটা minimum requirement, বেটা আসন পুরোজন সে টাকা তাঁরা চাচেছ্ন না that shows utter calousness. এটা যদি তাঁদের ইচ্ছা হ'ত, তাহলে তাঁরা টাকার বলোবতা করতেন। যারা-আজ বাস্তবার তাদের দিকে আপনাদের দৃষ্ট নেই, তারা আজ না খেমে আছে। তাদের দিকে দৃষ্ট খাকলে, তাদের জন্য যে টাকার দরকার হত, তা আমরা স্মালোচনা না করেই পাশ করে দিতান।

যেখানে famine condition বলে declare হবার মত অবস্থা হ'ল, তথন মন্ত্রীরা বললেন না, সেরকম কোন অবস্থার স্পষ্ট হয়নি এবং আমরা চাল, আটা, ইত্যাদি যেনন rationing এ দিচিছ সেই ভাবেই দেব। কিন্তু তার ফলে হ'ল যে, যে চাল, আটা বাংলায় আসতো তা বিহারে চলে গেল, কারণ সেখানে famine condition হয়েছিল। সেখানকার মন্ত্রীমহাশয়রা জোর করে বলেছিলেন যে এই অবস্থায় দেশে famine condition না করার দায়িত্ব আমরা নেব না। 'কিন্তু, সেই সংসাহস' আমাদের মন্ত্রীমহাশয়দের নাই। এবং তাঁরা আরো বলছেন যে——

- 8j. RAJANI KANTA PRAMANIK: ডেপুটি স্পীকার মহাশম শিবনাধ বাবু যে বস্তৃতা করেছেন সেটা এই subjectএর অন্তর্গত নয়, স্মৃতরাং এ বস্কৃতাটা হচেছ irrelevant.
  - 8]. HEMANTA KUMAR BASU: আমার মতে এই pointbl থাকা উচিত ছিল।
- Mr. DEPUTY SPEAKER: Mr. Banerjee, what you say is not relevant, I should say. You should not discuss those things in the discussion of a Supplementary Budget. For your information I would read a few lines from May's Parliamentary Practice.
- "A debate on the subject of excess grants is restricted to particulars containing the estimates of the items under which these grants are shown and the application of the items which compose these grants. The debate cannot touch the policy and expenditure sanctioned on other heads of the estimates for which the original grant was obtained except so far as the policy and expenditure are brought before the House by the items contained in the supplementary or excess estimates."
- **3J. SIBNATH BANERJEE:** Sir, I can substantiate my point that I am relevant if you will kindly give me that book.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, he cannot ask the Speaker to give him the book. He must have a copy by himself.

- 8]. SIBNATH BANERJEE: अटनक नात. So, Sir, I want the book.
- Mr. DEPUTY SPEAKER: You can have it afterwards.
- **3]. SIBNATH BANERJEE:** Sir, I want to show by a reference to the book itself that I am correct because money is being diverted into a wrong channel.
  - Mr. DEPUTY SPEAKER: Please make yourself relevant.
- 8]. DEBENDRA NATH SEN: But it is not possible to deal with this 36 lakhs covering many items. I have got a copy now, but it will not do. Which edition you quoted from, Sir?
  - Mr. DEPUTY SPEAKER: 15th Edition.

8j. SIBNATH BANERJEE: আচছা, আমি এখন সংক্ষেপে পেন করছি । Sales tax কিছুই কমল না, টাকা তাঁরা নানাভাবে নিচেছন । Sales tax অন্যান্য প্রথমে এক প্রসা, দু'পরসা, আম এখানে হচেছ তিন পরসা। তার পরে নানানভাবে এখানে বে economy করা যায় নেটা তাঁরা করছেন না ।

তারপরে এই ধরচ বৃদ্ধির অত্যাচার থেকে ছাত্রর। পর্যন্ত রেহাই পাচেছ না। কোধার fee করানো হবে না তার স্থলে fee বাড়িয়ে তাদের উপর অত্যাচার কর। হচেছ, text books বাড়ানো হচেছ, এক বছরের text book বছর গেলেই বদ-াানো হচেছ, তারপরে examinationএর feeও বাড়ানো হচেছ।

তারপর যোটর ট্যাক্স যেখানে ৫০১ ছিল দেখানে বেড়ে ৫০০১, --৭০০১ টাকা পর্যান্ত হয়েছে, এই রক্ষ করে নানা দিক দিয়ে বন্ধিত হারে কেবল ট্যাক্স আদায় করছেন।

উনি Penicillin factory করবেন, ভাল কথা, কিন্তু সরকার যেভাবে আমাদের খাবার ব্যবস্থা করেছেন, তাতে প্রত্যেক লোকের জনাই Penicillin দরকার হবে। এবং ডা: রায়কে তা প্রত্যেক্কেই দিতে হবে। (शामा ।) त्करन वकी factory करतार जनत्व ना, यउश्वनि factory त्मान त्रायाक मनश्वनित्कर Penicillin factorvco পরিণত করতে হবে। খাদ্যের ব্যবস্থায় এরকম নিশ্চেষ্ট থাকলে চলবে না। আমি বল্লি ভাজকে যেখন বিহারে famine condition realise করে গেখানকার বছিবর্গ resignationএর threatening দিয়ে Centre হতে যথেষ্ট চাল এবং আন সেখানে আনবার ব্যবস্থা করেছেন কিন্তু এগানে তাঁর। কিচুট করেন नारे। एवं जारे नम प्'बान शृदर्व त्वरात ration cut restored स्तारक । जातशत जातन पात्र यपि अबन চডা হয় যে লোকে কিনতে পারে না, তার ফলে জেলায় ছেলায় চাল পাঠান সম্বেও লোক মরবে না খেয়ে, এটা বেমন বিহারে হয়েছিল, এখানেও সেই রকমই হবে, যদি আগে থেকে কোন ব্যবস্থা অবলয়ন না করা হয়। নেখানে এ৬ লক্ষের বেশী টাকা test reliefএ খরচ করা হয়েছে, তার কলে লোকের sufferings অনেক কনেছে। তা'ছাডা দেখানে গরীব লোকের। যাতে বাঁচতে পারে দেইজন্য gratuitous reliefএর এবং যার। কাজ করতে পারে তাদের কাল দেওয়ার ব্যবস্থা হয়েছে। আমরা এখানে test reliefএর কথা বেশী বলি না, যার। শিশু, বন্ধ শুধু তাদের জনাই বলব। বাকি যারা কাজ করতে পারে তাদের জনা এরা irrigationএর ব্যবস্থা করতে পারেন, খাল কাটাতে পারেন, পুকুর খনন করতে পারেন, এসব কাল আমরা Private agency হারা করলে বেণী দর অগ্রসর হওয়া যায় না, কেবল গভর্ণদেশ্টই স্মষ্ট্রভাবে করাতে পারেন, এবং এইসব করলে অপ্রায়ত্ত হবে না. আর লোকেরও সাহায্য করা হবে এবং দেশেরও উন্তি করা হবে, গম উৎপাদনও বন্ধি করা হবে। ধানা পছরিণী ধননের ও রান্তাবাট তৈরীর ব্যবস্থা হারা দেশের লোকেরও শুমণন্তি বাড়বে, তারা আনুনির্ভরণীক হবে তার ফলে দেশে আর একটা lazy classএর স্ষষ্ট হবে না। কিন্তু এসব দিকে সরকারের কোনও সাভা পাচিছ না--এটা বডই দ:খের কথা।

Si. HARIPADA CHATTERJEE: দেশব্যাপী চামীদের বর্ধন এত কট ত্র্বন বারে ২ লক্ষ ৫০ হাজার্র টাকা তাদের জন্য additional demand on account of cattle purchase loan এটা যদি পুক্তই জনসাধারণের সরকার হত তাহলে চামীদের এই দারুণ দুর্দ্ধনায় সাহায্য করার জন্য এই সাযান্য টাকা তারা চাইতেন না. আরো অনেক বেশী টাক। চাইতেন। আজকে খারাদের পশ্চিম বাংলার চাষীদের যে দরবস্থা তাতে তাদের রীতিনত সাহায্য করা উচিত। আমি আনার নিজের অভিজ্ঞতা থেকে বলছি, হারেনাট আনাকে তাদের বধ্যে যেতে হয়। আনি দেখে এসেছি—কুঞ্চনগর খেকে ৪ নাইল দরে তারকদানপর—গামটা ৰাজহারাতে ভরতি। সেধানে গিরে দেখি চাষীর। ৪ দিন ধরে উপবাস করে আছে। গভর্ণমেণ্ট সেধানে তাদের house loan দেন নাই, maintenance allowance বা gratuitous relief কোন কিছুই দেন নাই शिरत प्रथि--8 में पन बरत लोकश्वित त्रवीतन ना ब्लेटर त्रसारह, जानि पन्त्रहान करत जानलाव त्रवीतन म जन लोक ना त्यंदर बाबा (शंदछ । अता बरलन ना त्यंदर लोक बाता यात्र ना, बाता यात्र आबानस हत्स ब्रह्मवाहि। करन কিছ আমি জানি বে তারা দু'জনে না খেরেই নারা গেছে তাদের একজনের নাম অভিনাম বিশাস, জার একজনের नाव शतक विशास । (The Hon'ble N. DUTT-MAZUMDAR: नवारे विशास ?) हैं। हाबीब প্ৰাৱই বিশানই হয়। ( The Hon'ble P. C. Sen: কোন, গ্ৰাবে ?) তারকদানপুরে। ক্ঞানগর থেকে ৪ বাইল দরে। আপনারা ত অন্যের informationএ বিশাস করেন না, কিছু আনি অনুরোধ করছি আনার এই ধ্বরগুলি বিশাস করুন। আমি নিজে গিয়ে বেখেছি সেধানে সেই দু'টা লোক মারা গেছে। আমি সজে नक्ष्में क्ला गाकिट्रिय काट्स निरवित्त । व रानिस् से गाँरवर लाकश्चला । पिन बरत ना स्वरंग नास्त्र ।

'अरबंद अकेंद्र। बावचा कब्रन । अता बांखराता । य यम विভाश्ति करन चांक अरबंद बांखराता हरत अर्थात-जानरा हरहरू हा सन विकार का प्रता नारी नह । यात्रा असत अहन खे शास विनिधार वर्ष का का সাহাত্য দেৱনি তারাই দায়ী। ফলে দ'জন মারা গেল। সরকারের যে দপ্তরখানা আছে তারা সে খবরটা প্রখনে तम्ब नि. जाबाद कथा जान तम्प्रोत त्कना मान्तिएहें भेरद हाईएलन, त्म्यकारन दिएशाहे हरना द्रव्यामाद बादा ্রোছে ঐ দ'জন লোক। আমি নিজে বহু জাঁমগাম হবে দেখেছি বহুলোক দ'বেলা খেতে পাচেছ না। বার। modified ration পায় তারও একবেলার বেশী খেতে পায় না। ১৪।১৫ টাকা দরে লোকে ছোল। কিনে <del>খালেছ</del>, এবং যেখানে কোন ক্রমেই ১৪।১৫ টাকার বেশী চালের দর হওয়া উচিত নয় দেখানে বহাজনর। ২৫।৩০ টাকা দরে বিক্রী করছে। মহাজনরা এইভাবে দরিদ্র জনসাধারণকে টাকা ধার দিয়ে শোঘণ করছে এবং তাদের ভবিষ্যৎ ব'লে কিছু নাই। আজ যদি Co-operative সমবায় প্রথা থাকতো তাহলে এদের একটা বেঁচে श्राकतात পথ হোত : কিন্তু আমাদের মন্ত্রীমহাশয়দের Co-operative প্রথায় বিশাস নাই অথচ এরাই একদিন ৰলেছিলেন সমবায় পথা প্ৰৰ্তন করাই নাকি এদের প্রথম লক্ষ্য। কোন কথা বন্নেই টাকার অভাবের কথা আবাদের শুনতে হয়, কিন্তু Reserve Bank থেকে তো 2·4 per centa টাকা ধার দিয়ে তা তাঁরা কবতে পারতেন। সরকার থেকে কোনপুকার সাহায্য না পেয়ে চাষীকে মহাজনের ঘারস্থ হতে হয় এবং পাট দিয়ে এপ শোধ করতে হয় এবং ১০০ বদলে যে কত বেশী দিতে হয় তা বলা যায় না। স্লুতরাং আমি বলছিলাম যে, সমন্ত্র দেশকর যথন এই রক্ষ হাহাকার তথন অন্য আলোচনা এখানে শোভা পার না। প্রথমে চাষীকে বাঁচাতে ছবে: চাৰী যদি মাৰা যায় তাহ'লে দেশ বাঁচতে পারে না। তারপর আরেকটা বিষয় হচেছ এই যে, যা cattle loan দেওয়া হয় সেটা সমস্তে বারিবিশ্বং। সমস্ত দেশেই চামীদেব পর্য্যাপ্ত loan দেওয়া দরকার। আমি পরের্ব ৰলেছি, জাবারও জামাকে বলতে হচেছ যে, গ্রামগুলিকে শোঘিত করে সহরগুলিকে ফাঁপিয়ে তোলা হচেছ। যেখানে সহরের লোক control মল্যে স্বকিছ খাচেছ সেখানে যারা নাকি ফসল ফলাচেছ তারা এত উচ্চম্ল্যে কেন ৰাৰে ? এই Government কখনও টিকতে পারে ? Goldsmithএর ভাষায় বলতে গেলে চাষীই দেশের সম্পদ: যে দেশের চাষীকে নষ্ট করা হয় সে দেশ কখনও restored হতে পারে না। (The Hon'ble RAI HARENDRANATH CHAUDHURI Quotationটা বলুন।) Quotationটা আমাৰ কাছে এখন

"Honest Farmer is a pride of one's country. Once destroyed can never be restored."

ধুসী হলেন ? এখন কাজে পরিণত করুন। তারা তো ধ্বংস হয়ে গেল। আমি আর বেশী নেব না, স্যার। শুধু এইটুকু ব'লে শেষ করব যে, দেশের লোক না খেতে পেয়ে মরে যাচেছ। তাবপর দেখুন, বাস্তহারা যারা এসেছে তাদের দুর্দশা চরম সীমায় পৌছেছে। এইসব ব্যাপারে emergently ব্যবস্থা করা দরকার এই ফচেচ দেশের অবস্থা।

8j. DEBENDRA NATH SEN: Mr. Deputy Speaker, Sir, the total money demanded from us for our voting is really a paltry sum. It is only Rs. 36 lakhs and the House should not have taken much of its time in sanctioning this paltry amount, but even though the amount is very paltry I am opposed to giving a single farthing out of the people's money into the hands of this Ministry. In fact, if the Ministry had behaved properly they need not have come with this Supplementary Budget before us. If they had not connived at evasion of the Birlas they would have got one crore of rupees. If they had run the State Bus Transport Service properly then they could have amassed a huge profit by this time, for every private bus owner earns a clear net profit of one thousand rupees per month and since the Government run 200 buses they could have made a clear net profit of 2 lakhs of rupees per month and they need not have come before us for this paltry sum. There are trawlers remaining idle wherein I think about Rs. 40 lakhs are blocked. Bulldozers have been purchased, scrappers have been purchased. They are lying idle, they are unworkable, they are not suited to the soil of Bengal; yet money has been spent on them and they are lying idle. There also about Rs. 38 lakhs are blocked. That is why I am opposed to giving a single farthing into the hands of this Ministry.

There are other reasons also and those are that this Ministry from the figures that they have given us tell us that they have defalcated in the Food Department alone in 1948-49 Rs. 7½ crores and in 1949-50, Rs. 8·8 crores. I say this is not my calculation, this is out of the calculation made by the Hon'ble Food Minister. I see in some of the papers the Food Minister has been renamed as Famine Minister—I do not know which he would like. For us, of course, he is Food Minister. The figures that he has given reveal that in 1948-49 he has taken out of our money—people's money—about 7½ crores and in 1949-50 he has taken about 8·8 crores. I am coming to these figures. Sir, in reply to a question of mine during the Budget Session the Hon'ble Food Minister gave figures of his stock position in 1948-49 and 1949-50. From the stock position given I find that in 1948-49 he has given 43 lakh maunds of rice less than he should have retained as the closing stock for 1948-49.

Mr. DEPUTY SPEAKER: I like you to be relevant.

8j. DEBENDRA NATH SEN: This is very relevant. I do not like to pay them a single farthing for this reason that they have cheated us to the extent of 7½ crores of rupees in 1948-49, they have cheated us to the extent of 8.8 crores of rupees in 1949-50. So I do not want to give them a single farthing. That is my relevancy. When I look into these figures—I challenge the Food Minister—he should be arrested and impeached——

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Is this a parliamentary expression—'they have cheated us'?

8j. DEBENDRA NATH SEN: Is it a point of order?

The Hon'ble NIHARENDU DUTT-MAZUMDAR: On a point of order. He used the expressions "defalcated and they have cheated us". Is this a parliamentary expression?

Mr. DEPUTY SPEAKER: The word "cheating" is unparliamentary.

8i. DEBENDRA NATH SEN: What word shall I use?

Mr. DEPUTY SPEAKER: Consult your vocabulary.

**Sj. DEBENDRA NATH SEN:** They have taken away this money from us. I challenge them (uproar). I say, Sir, that he should be arrested and impeached.

(The Hon'ble Niharendu Dutt-Mazumdar rose to speak.)

Mr. DEPUTY SPEAKER: I have already given my ruling.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I am grateful that you have given your ruling (uproar). We never think that the honourable member or any honourable member of this House will be such a bloody fool to be cheated.

Mr. DEPUTY SPEAKER: Order, order.

8j. DEBENDRA NATH 8EN: Sir, I am prepared to show the accounts to anybody, and if the Hon'ble Minister also wants to see them I can show him just now how he has got this sum out of the Food Department and taken away this money from us. Three or 4 days ago the Hon'ble Food Minister gave us a figure. He said in reply to a question of Sri Sris Chandra Nandy that the total quantity of paddy procured in 1950-51 was 58 lakh tons of paddy. Sir, I will accept this figure, and I want to show that if this figure is correct then there is no shortage of rice in West

Bengal, and everybody can take on an average daily half a seer of rice. Everybody includes every adult of the total population. The total quantity procured is 58 lakh tons of paddy, and if we can convert it into rice—

The Hon'ble NIHARENDU DUTT-MAZUMDAR: On a point of order, Sir. It is not the general budget presented before the House. It is the supplementary estimate relating to State Excise Duties, Forest, Registration, Administration of Justice, Scientific Departments, Medical, Stationery and Printing, Miscellaneous, Loans and Advances bearing interest. Now, Sir, the debate must be limited to these subjects, and in that case alone the debate will be within the scope of the supplementary estimate; otherwise not.

Mr. DEPUTY SPEAKER: I have given my ruling already.

8j. DEBENDRA NATH SEN: Sir, I was submitting that the things omitted do form part of the topic for discussion here, and we have a right to discuss them. This thing has been omitted from the Governor's address, and these things have been omitted from this budget also.

Moreover, Sir, I would like to draw your atention to item No. 1 of Grant No. 41 where a grant of Rs. 2,50,000 has been made, and it relates to shortage of supply of food. So my speech is very much relevant. There is no shortage of rice in West Bengal. That is the relevancy of my speech. If we accept the Hon'ble Food Minister's figure, namely, that 58 lakh tons of paddy were produced in the year 1950-51 and if we convert this paddy into rice it comes to 38 lakh tons of rice. I have taken two-thirds of a maund of rice for a maund of paddy.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: On a point of order, Sir. The honourable member is confusing the Governor's address with the procedure for Supplementary Budget. There is a difference and a distinction between the two. There is no question of omission in the case of the Supplementary Budget which restricts itself to specific items which come up as demands for supplementary grants before this House, and therefore it affords no scope as in the case of the Governor's address to give rise to a General discussion touching any subject. The honourable member is confusing the two. Will you kindly draw his attention to it, Sir?

- Mr. DEPUTY SPEAKER: With regard to the Governor's address, discussion on omission and commission is allowed under the constitution. But with regard to discussion on supplementary estimate it is very much restricted. I have given my ruling, and I hope, Mr. Sen, you will kindly confine yourself to the issues for which the grants are sought for.
- 8]. DEBENDRA NATH SEN: I am very much restraining myself. There is no doubt about that. If you look at the last page of Grant No. 14, you will find, Sir, that there is a grant for Rs. 2,50,000 for failure of crops, and I want to show that irrespective of whether there is failure of crops there is no shortage of foodstuffs in West Bengal according to the figures given by the Hon'ble Food Minister or the Hon'ble Finance Minister.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, he is misleading the House. This relates to a specific demand for a specific area.

8j. DEBENDRA NATH SEN: Are you on a point of order? If not, I will not yield.

Then, Sir, this 58 lakh tons of paddy converted into rice brings it to 38 lakh tons of rice, and converted into maunds it comes to 10.5 crore maunds. I think that the population of West Bengal is two and half crores, and on an average every person will be getting about half a seer

per day for four months in the year. I have not taken into consideration the closing stock last year. I have not taken into consideration the quantity of wheat and rice that we will get from the Central Government. I have taken only the Food Minister's figures, and I want to show that there can be no scarcity in West Bengal if these figures are correct. Either these figures are wrong, and he has deceived us, or if these figures are correct there can be no reason for shortage of food stuffs in West Bengal, and I would like to have a reply from the Food Minister on the points that I have raised.

Then, Sir, there is another point. I think all these moneys are being spent and taken away for election purposes. These 5 crores of rupees have been diverted to election purposes and for paying to relatives and other persons.

There is also another point to which I would like to draw your attention. The difference between the selling price and the purchase price of rice or the procurement price of rice is the highest in West Bengal. That difference is Rs. 4 minimum in West Bengal, but in other provinces it is nowhere more than Rs. 2. Neither in Madras nor in Bombay nor in the United Provinces nor in Bihar. Therefore, Sir, a large amount of money is being taken away from us very stealthily. There should be a committee of enquiry for the Food Department to go into all these relative points as to what has become of this stock of rice, what has become of the difference which this Government is accepting from the people—the difference between the procurement price and the selling price. So, there should be an enquiry committee. If you look into the last 4 years you will find that there has been a gradual rise in prices, more particularly in the price of rice since 1948 but this Ministry has taken no steps to combat this rise. Rather I should think that they have been helping in the rise of prices. Today we read in the papers that rice is again selling at Rs. 80 per maund in Dinhata in Cooch Behar and if this is the case before long, perhaps, there will be another tragedy like the one we beheld in April last in Cooch Behar. To show how the prices are rising I will give some figures. In Burdwan as compared-

# Mr. DEPUTY SPEAKER: Your time is up.

(The member having reached the time limit had to resume his seat.)

Janab A. M. A. ZAMAN: আমার বলবার মোটেই ইচছা ছিল না কিন্তু করেকটা কারণে আমি
দু' একটা কথা বলতে চাই। এখানে দেখা যাচেছ যে Supplementary Budgeta মাত্র নমটী itema
জন্য ৩৬ লক্ষ টাকা চাওয়া হয়েছে। যেমন State excise duties, Forest, Registration, Administration of Justice, Scientific Department, Medical, Stationery and Printing,
Miscellaneous, Loans and Advances bearing interest. এই ক্ষেকটা itema ৩৬ লক্ষ টাকা
চাওয়া হয়েছে। এই ক্ষটা itema যে ৩৬ লক্ষ টাকা খরচ করা পুমোজন দে কথা ওরা সকলেই খীকার
ক্রেছেল; এবং item by itema ওাঁরা বন্ধুতা দিয়েছেল; তার কারণ publicaর কাছে ওরা popularity
gain করতে চান। একটু আগেই শিবনাথ বাবু বলেছেন যে, ময়ুরাকী schemea এক লক্ষ একর জমি খনন
করতে দশ হাজার টাকা খরচ হয়েছে, অথচ আমি একটা খাল কাটবার চেটা ক্রেছিলাম কিন্তু টাকার অভাবে
তা সন্ধব হয় নাই। এখানে শিবনাথ বাবু এ কথা একবার চিন্তা করে দেখেন নাই যে, এই এক লক্ষ
একর জমিতে কত ধান হতে পারে তা যদি দেখতেন তাহলে আমার মনে হয় তিনি বুঝতে পারতেন যে এই
এক লক্ষ একর জমির হারা এক লক্ষ্ লোক বোঁতে যাবে। আবার আমার বহু হরিপদ বাবু বলেছেন যে গুরুলাপাপুরে
কুইজল লোক না খেতে পেরে মারা গিয়েছে (A VOIOB—গুরুলাসপুর নয় তারকদাসপুর) কোথা খেকে এই
রক্ষৰ বাবর আনেন এবং বলছেন এই জায়গার এই লোক মারা গিয়েছে। ওনারা দেখছিবাংলা দেশের স্ব্রুছে
ক্রেছেদ কোথাও বাকী নাই। সন্তিটেই যদি এই বোক ক্রেছিট স্বা থেকে ছিল ভাগতে আপনারা নির্মুছে

খেকে ১০-২০ সের চাল দিয়ে তাদের সাহায় করেছেন সে কথা কেউ বলেন নি। ওরা ত দেন নি, খালি চাচেছন অপরে যাতে দের। ওরা চান যে না খেতে পেয়ে দু'চার জন মক্রক, তাহলে তাঁরা এখানে এসে বলতে পারবেন যে Government তাদের না খেতে দিয়ে মেরেছেন এবং এই Government অরুর্ধণা। এইভাবে কতকওলি বাজে case স্বষ্টি করে তাঁরা দেখাক্রছন যে Government জনসাধারণের জন্য কিছই করেন না। ওদের দেখে আসা উচিত ছিল যে Government খাল কেটে কত জনির চাম করছেন। ওরা হাজার লোককে Calcuttax নিয়ে এসে meeting করেন কিছ ঐ হাজার হাজার লোক দিয়ে তাঁরা যদি daily একখণ্ড করে জনিও চাম করাতেন তাহলে বহু পরিমাণে আবাদ বাড়তো। ওরা গ্রাম থেকে লোকদের কলকারখানার কাজ দেবো বলে নিয়ে এসে পরে বলেন Government তোমাদের খেতে দিচেছ না। আজ্ব যে সমন্ত দেবিছেও রয়েছে তাদের গ্রামে নিয়ে গিয়ে যে সমন্ত পতিত জনি রয়েছে সেগুলি চাম করবার যদি চেটা করতেন তাহলে বাঝা যেত যে ওরা সত্যি সতি৷ চান যে দেশের লোক খেতে পাক্।

(Red light was lit.)

Sir, আনাকে আর একটু সময় দিতে হবে। এই দেশে যথেষ্ট পরিমাণ জমি পড়ে রয়েছে কিন্ত কেন্ট দিজকে sacrifice করে সেধানে cultivate করতে যান না। ওঁরা থালি দেশে ধাদ্য নাই, ধাদ্য চাই বলে meeting করেন কিন্তু যে সমস্ত চামের জমি আছে তাতে ওরা চাম করতে চান না।

এই যে ৩৬ লক্ষ্ণ টাকা চাওয়া হয়েছে নমটি itemএর জন্য তার একটা itemও বেদরকারী নয়, ওঁরঃ একট চিন্তা করে দেখলে ভাল হয়।

SI. SIBNATH BANERJEE: On a point of personal explanation.

মাননীয় ডেপুটা স্পীকার মহোদয়, আমার নাম drag না হলে আমি বলতাম না। উনি বলেছেন, আমরা নাকি কথানও sacrifice করিনি, কিন্তু ওঁনার মত sacrifice কবে ঢাক পিটান ঠিক বলে আমি মনে করি না। আমরা sacrifice করেছি কিনা তা জামান সাহেব তাল করেই জানেন। এই কথাটা তিনি এখানে নির্কলক তাবেই অস্থীকার করেছেন।

## Mr. DEPUTY SPEAKER: That is irrelevant.

Sj. KANAI LAL DE: মাননীয় তেপুটা স্পীকার মহোদয়, আমাদের সন্মুখে যে Supplementary Budget উপস্থাপিত করা হয়েছে তাতে দেখা যাচেছ যে গ্রামের চামীদের, চাম কববাৰ জন্য বলদ কেনবার কোন ব্যবস্থা করা হয় নাই। এ বছর প্রায় সমগ্র বাংলাতে তাল ফসল হয় নাই এবং ধান, চালের অভাবে বহু লোক যার। গিয়েছে।

অবশ্য এখানে cattle কেনবার জন্য মাত্র আড়াই লক্ষ্ণ টাকা চাওয়া হয়েছে। কিন্তু এটা পুরোজনের তুলনায় অত্যন্ত অলপ। চাথীদের বলদ কেনবার জন্য যদি টাকা না দেওয়া হয়, তাহলে ভাল চাথ কি করে হওয়া সন্তব। আমাদের খাদ্যমন্ত্রী মহাশয় বহুদিন থেকে বলে আসছেন যে আমাদের দেশে মাত্র দশ পারসেন্ট্র খাদ্য কম আছে, সেটা উৎপনু করতে পারলেই দেশ স্বাবল্যী হয়। কিন্তু গত চার বংসবেব মধ্যেও তাঁরা এই দশ per cent. খাদ্য উৎপনু করতে পারলেন না। তাঁরা যে সমন্ত খাদ্যশস্য store করছেন তাতে ১৩ per cent. wastage হচেছ।

গত দু' বছরে, ১৯৪৮ সাল পর্যান্ত ৫,০৫১,৬৬০ মণ চালের হিসাব নেই। ১৯৫০ সাল পর্যান্ত ৫,৮০৯,৮০০ মণ চালের কোন হিসাব নেই। তাঁরা যে চাল সংগ্রহ করেছেন, তাঁদেরই figure খেকে দেখতে পাচিছ ফে এই চার বছরে এক কোটী মণের উপর চালের হিসাব নাই।

একবার শুনেছিলাম যে খুলনায় ৫০ হাজার মণ চাল ইন্দুবে খেঁয়ে ফেলেছিল। আব এখানে কি আমাদের খাদ্যমন্ত্রী মহাশয় বলবেন যে এই এক কোটী মণ চাল বাংলা দেশের বাঁদেরে খেঁয়ে ফেলেছে ?

খাদ্যমন্ত্ৰী মহাশ্যের নিজের উক্তি থেকেই জিজ্ঞানা করছি যে গত চার বছরে এই এক কোটী মণ চালের হিসাব নেই, সেই চাল কোথার গেল ? সেই চাল এমনিভাবে কে নাই করল ? আজু সেই চাল বাংলার খাকলে, ১৪ লক্ষ্ নোক খেতে পারত; অথচ তিনি বলছেন বাংলার যাত্র ১০ per cent. কম আছে, অথচ এত অপবায় ক্ষেত্রেন, তাঁর নিজের হিসাবেই গোলবাল আছে। অতএব এ সবত্তে তিনি কি বলতে চান ? বাংলাঃ

শেশৈতে control পুখা চালু রাধবার জন্য দেশের লোককে বোঁকা দিয়ে বলছেন যে বাংলা দেশে বাদ্যপন্য বোনী কলেনি এবং বাইরে থেকেও বেশী খাদ্যপন্য পাওয়া যাচেছ না। এই সমস্ত জোক বাক্যে দেশের লোককে ছুনিয়ে রাখতে চান। কিন্তু তাদের যা হিসাব তাতে দেখা বাচেছ যে গত চার বছরে ৫০ লক্ষ্ণ বাদ্যপিত হয়েছে, এই চাল গুদামে পাওয়া যাচেছ না, সেই চাল কে লোপাট করে দিয়েছে। তাহলে কি বলতে হবে যে তাঁদের কর্মচারীরা সেই টাকা পাচার করে দিয়েছেন ।

Dr. SURESH CHANDRA BANERJI: মাননীয় তেপুটা স্পীকার মহোদয়, একটা অবাত্তবের মধ্যে আমাদের এই অতিরিক্ত ব্যয়বরাদ্দ সংক্ষে আলোচনা চলছে। আজ দেশের দারুল দুরবস্থা, চারদিকে হাহাকার, অনুের অভাব, বল্লের অভাব। খাদ্যেব দাবীতে Hunger March ও Hunger Strike হচেছ। আমরা আশা করেছলাম, এই অতিরিক্ত ব্যয়বরাদ্দ এমন সব item থাকবে, যাদের কাজে পরিণতি ছাবা এই সব সমস্যার সমাধানের পথ উন্মুক্ত হবে। কিন্তু দুর্ভাগ্যবশত: সরকার সেই সব item ব্যয়বরাদ্দের অন্তর্ভুক্ত করেন নাই। আমি অনেক সময় ভাবি, বন্ধিমচন্দ্র আনন্দমঠে তথনকার দেশের যে অবস্থার বর্ণনা করেছেন, বাংলার বর্তমান অবস্থাও অনেকটা সেরপ। Government আমাদের সামনে যে Supplementary Budget পেশ করেছেন তা দেখে মনে হয় না Government এ বিষয় অবগত আছেন। এই বাজেটের মধ্যেই ভার ইন্ধিত আছে; Government বলছেন যে আমাদের দেশে criminal case খুব বেড়ে গিয়েছে। ফলে পুলিশের জন্য ব্যয়-বর্ষাদ্রও বেড়ে চলেছে।

গভর্ণ মেণ্টের খরচের পরিমাণ ক্রমণ: বেড়ে চলেছে; কিন্তু কাজের মতন কাজ কিছই ছচেছ না। পূর্বক থেকে বহ লোক এসেছে ও আসছে। গভর্ণমেণ্ট তাদের জন্য কিছই করছেন না। টাকাই কেবল ধরচ হচেছ কিন্ত তাদের সত্যিকাবেব অর্থনৈতিক পুনর্বাসনের জন্য প্রয়োজনীয় যে কান্স তা তাঁরা মোটেই করছেন না। কলে hunger strike राष्ट्र—hunger march राष्ट्र—जात नाम नाम जाएन छेशन छनि हनाह, नाहि हनाह, करन criminal caseএর সংখ্যা বেড়ে যাচেছ, সেজন্যও গভর্নবেপ্টের টাকা খরচ হচেছ, কিন্তু তাতে মূল ব্যাধির প্রতিকার হচেছ না। আজ দেশের প্রায় সর্বত্রই হাহাকার, যুবকদের চাকরীর অভাব, দেশময় বেকার স্মস্যায়, উহাস্ত পুনর্বাসনের সমস্যায়, স্বদিকেই দিন দিন সঙ্কটজনক পরিস্থিতির উত্কর হচেছ। আবাগে এসবের প্রতিকারের জন্য এই বাজেটে এক প্রসাও ব্যরবরাদ করা হয় নাই। অথচ গভণ্মেণ্ট বাজে জিনিমের জন্য विखन श्रतिहान वावका करवरहा । यमन এक्টा Penicillin Factory करन्नहान, होका पिरुहन नाकि Medical Departmenta य होका त्वैहाह छोटे १९८क । श्रामत्रा य वाग्रवताम करत्रिक्ताम Medicalan খাতে সেই টাক। থেকে কতক টাক। বেঁচেছে। কি করে বেঁচেছে ? সরকারী হাসপাতাল সমূহে চিকিৎসার এমনি স্থব্যবস্থা যে গরীবদের পর্যান্ত হাসপাতালে ভতি হলে টাকা ধরচ করতে হয়। যারা টাকা দিতে পারে না তাদের দেখানে চিকিৎসা হয় না। এই বৰুম সব ব্যাপার সরকারী বিভাগের জনকল্যাণমূলক প্রায় প্রত্যেকটা বিভাগে প্রতিদিন ঘটছে। আশ্চর্য্যের বিষয় সরকারের এ কথা বলতে লক্ষজা হচেছ না যে Medical Departmentএর যে টাকাটা বেঁচেছে তাই নিয়ে আমরা Penicillin Factory করছি। জামরা বলি দেশের যত বেশী foctory হয় ততই ভাল, কিন্তু যে ভাবে এই কাজটা গভর্ণমেণ্ট করছেন তা মোটেই ন্যায় সঞ্চত নয়। এ থেকে পুমাণিত হয় যে যারা রুগু, যারা ব্যাধিগ্রন্ত, যারা দরিদ্র, তাদের खना গভর্ণমেণ্টের কোনই দরদ নাই।

দু'টী রেলের জন্য গভর্ণমেণ্ট টাক। বরচ করেছেন। এজন্য আমি গভর্ণমেণ্টকে পুশংসা করছি। কিন্তু এটা আরো অনেক আগেই করা উচিৎ ছিল। গভর্ণমেণ্ট জানেন, আমি অনেক আগেই বলেছিলাম যে Private কোম্পানির হাতে দিলে এই সব রেল লাইন চলবে না। গভর্গমেণ্টের নিজের হাতেই এদের নেয়া উচিত।

এই অতিরিক্ত বাজেটে ব্যায়বরাদ দেবে আমি বলতে বাধ্য হচিছ --দেশের যাতে পুক্ত উনুতি হয় দেদিকে সরকারের লক্ষ্য নাই। দেশের লোককে পীড়িত রেখে, অনাহারে রেখে যে তাবে সরকার তাদের টাকা ধরচের বরাদ্দ করেছেন তাতে এর বিরোধীতাই শুধু নয় এর নিশা না করে গতান্তর নাই।

8j. HEMANTA KUMAR BASU: তেপুটা স্পীকার বহাপার, এই যে Suplementary Budget এবানে উপস্থিত করা হরেছে, সে সম্বন্ধ আনি কিছু বলতে চাই, বর্তনানে আনাদের দেশের বছ কিছু অভাবের বব্যে ববন বাদ্যাভাবটা বিশেষ করে চালের অভাবটা তীব্রভাবে দেবা দিয়েছে, তবন সরবার

জাঁবের বে Excise policyর কথা বা বলেছেন তাতে আনরা দেখতে পাচিছ হাজার হাজার নথ চাল দিয়ে বল, তাড়ি ও পচাই তৈরী হচেছ। তাহারা এক দিকে বেবন দেশের অতি প্রয়োজনীর থাল্য নট করা হচেছ্ অন্য দিকে লোকের চরিত্র নট হচেছ্, স্বভাব নট হচেছ্ এবং স্বাজের অহিতকর কার্ব্যে নিপ্ত হবার স্থ্যোগ তাদের দেয়া হচেছ্।

আৰি স্থল্যবন অঞ্জের অনেক জায়গায় বুরেছি। এক জায়গায় সর্জার নামক কতকগুলি অননুত জাতি আছে। তাদের ভিতর হাজার হাজার মণ চাল প্রতি সপ্তাহে চোলাই করে পচাই তৈরীর ব্যবস্থা রয়েছে। এটা বন্ধ করার জন্য সরকারের নিকট বার বার গ্রধান্ত পাঠান সন্বেও কোন ফল নাই।

তারপরে স্থল্পরবনে জলপুনিবনের ফলে সেধানকার বহু লোক গৃহহীন হরে পড়েছে সে ধবর ডাঃ আনুদেশও জানেন। তাদের মধ্যে যারা চামী তাদের চামবাসের সরঞ্জাম সব নষ্ট হয়ে গেছে।

Mr. DEPUTY SPEAKER: You are not relevant.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: He has made it relevant, Sir, because he has referred to Excise and said at the same time চাল খেকে ৰণ তৈনী হয়।

**8j. HEMANTA KUMAR BASU:** আমি General policyর উপর বলছি। বেভাবে আলোচনা এখানে চলেছে তাতে আমি more restricted.

স্থানরবনের লোঁকৈদের দুর্দানার কথা, তাদের ঘরবাড়ী নট হওয়ার কথা ডা: আবেদ যিনি নাকি বিনিফের মন্ত্রী তিনি ভালই জানেন। সরকার হতে যে সাহাব্য মঞ্জুর করা হয় তা যারা প্রকৃত দুর্দ্দাগ্রস্ত তাদের হাতে অনেক ক্ষেত্রেই পৌছে নাই। এজন্য প্রায় ২০০ দরধান্ত মন্ত্রীমহাপরের নিকট তারা দিরেছে, তিনি অনুসন্ধানও করেছেন কিন্তু আজও পর্যান্ত পুকৃত দুর্দ্দাগ্রন্তের। কোন সাহাব্য পায় নাই। এইজন্য আমার বিশ্বাস জনকল্পাণমূলক খাতে বেসব টাকা ধরা হয় তা ঠিক মতন অনেক ক্ষেত্রেই ব্যয় হয় না; অতএব এ বাজেট সমর্থন করতে পারি না।

The Hon'ble PRAFULLA CHANDRA SEN: মাননীয় ডেপুটা স্পীকার মহাশয়, আঞ্চকে এই Supplementary Budget আলোচনার মধ্যে অনেক অবাস্তর কথার অবতারণা এখানে হয়েছে। আজকে এখানে আমার খাদ্য সম্বন্ধে কিছুই বলবার ইচছা ছিল না, কিন্তু আমাব ওদিককাব বন্ধুদের (Pointing to the Opposition benches) নির্বাচনে জয়লাডের আশা যতই ফীণ হচেছ তারা ততই বেশী কবে খাদ্য সম্বন্ধে আলোচনা আরম্ভ করছেন, এবং—

- Sj. SIBNATH BANERJEE: Mr Deputy Speaker, on a point of order, Sir, নিৰ্বাচনে কার স্থবিধা বা অস্থবিধা হলো গে কথাটা কিভাবে এখানে উঠতে পারে ? এবং সে কথাটা কিভাবে এখানে "বান্তর" হলো গেটা সেন মহাশ্য বলবেন কি ?
  - Mr. DEPUTY SPEAKER: He has not finished the sentence yet.
- Sj. SIBNATH BANERJEE: But the meaning is clear. আমাদের জয়লাভের আশা কীণ হয়েছে এই কথাটা উনি বলেছেন।

The Hon'ble PRAFULLA CHANDRA SEN: খাদ্য সমন্তে টাকা চাওয়া হয়েছে সে সমন্ত ডিকা চাওয়া হয়েছে সে সমন্তে ওদিককার বছুগণ কোন কিছু কথাই বলেন নি। কেবল খাদ্য সমন্তে অপাসন্ধিক, অসত্য এবং ভুল আৰু দিয়ে লোকদের বিপ্রান্ত করবার চেটা করেছেন। মাননীয় সভ্য মহাশয়রা অনেকেই আনেন বে ওদিককার বিদ্ধান অনেকেই বিগত মার্চ মানে বাজেন অধিবেশনে দাবী করেছিলেন দেশে খাদ্যের অভাব নেই; পুচুর খাদ্য আছে। অভএব খাদ্য controlএর কোন আবশ্যকতা নেই। বিনিয়য়ণ করে দিলে লোকের দুংখকট মুচে বাবে। কিছু আজ আবার সেই সমন্ত বছুদেরই অনেকে বলছেন বে দেশে দুভিক্ষের অবস্থা আগতপ্রার।

আমার বছু দেবেন দোন মহাপর অ্টীকে "খাদ্য মহী" না বলে "দুভিক্ষ মহী" বলে অভিহিত করেছেন। সত্যই, পশ্চিমবক্ষ গভর্পবেণ্ট দেশের জাটল খাদ্যসমস্যার সরাধান বেভাবে করেছেন এবং আমাদের দেশে দুভিক্সকে আটকে মেখেছেন, তিনি বদি তাই বলে করে ওকখা বলে থাকেন তাহনে নিশ্চরই তাঁকে আমি বন্যবাদ দিছিছ। আমাদের পশ্চিমবন্দের ২ কোটী ৪৮ লক্ষ্য লোকের ব্যয়ে অনেক লোকই মহরে বাদ করে, একনক্ষি

নোষাই পুদেশেও এত লোক সহরে বাস করে লা। আর কলকাতার রতন এত বড় সহরও তারতবর্থি নাই, কালে কালেই আনাদের এবানে বাদ্যাবদ্ধা যে সঙ্চজনক হবে এটা কিছু আশ্চর্বাজনক বাাপার নর। তাহাট্টা গতি বংসর পূর্ববৃদ্ধ থেকে অনেক বন্ধুরা পশ্চিনবঙ্গে আশুরশুর্থি হয়ে এসেছেন। সংকীর্থ পশ্চিনবঙ্গ পুদেশের বাদ্যাবদ্ধা আটলতর হওয়ায় এটাও একটা কারণ। এবন এবানে ২৫ লক্ষ আশুরশুর্থি তাইবোনের। বাস করেছ। তার উপর এবানে বিত্তীর্ণ শিলপাঞ্চল মরেছে। সেবানে লক্ষ লক্ষ লোক করে এবং লেটা বন্ধুরর দেবেন সেন মহাশায় তালই জানেন, এক দিকে যেমন টাকার দরকার, আর এক দিক দিয়ে তেমনি উৎপাদন বাড়ানোও দরকার এবং সেইজন্য আমাদের বাদ্যাশ্যা যেবৰ, বাড়ানোও দরকার, তেমনি সেটার নিয়ন্ত্রণ রাধারও দবকার। আরাদের সংগ্রহের কাঞ্ব তালই চলছে।

দেবেন দেন মহাশর বলেছেন গত বৎসর এক কোটী মণ stock কমতি পড়েছে। আমি শুনে আশ্চর্যা হরেছি। আমর। যেখানে ২ কোটী মণ সংগ্রহ করেছিলাম তা খেকে যদি ১ কোটী মণই কমতি পড়ে ভাষদে আমার মনে হয় যে তাঁর এ হিসেকটাও তাঁদের labour unionএর হিসাব যেরকম তিনি মধে করেছেন গতর্ণমেণ্টের হিসাবও সেই রকম। তাঁকে অবশ্য মনে রাখতে বলব যে পশ্চিমবক্ষ গতর্ণমেণ্টের হিসাব labour unionএর হিসাব নর, যে যা'তা' করে রাখা হবে, এবং মেমন তেমন করে খরচ করে ফেলা হবে। আমাদের হিসাব audit হয়। এবং খালা এই সব হিসাব পত্র audit করেন তাঁদের সক্ষে পশ্চিমবক্ষ গতর্ণবিশেশ্টর কোন সম্পর্ক নাই। এবং খাদ্য বিভাগের হিসাব সম্বন্ধে এ পর্যান্ত কেউ কোন দোঘক্রটী পায়নি বা কেউ কোন গলদ বের করতে পারেনি।

আমার বন্ধবৰ হরিপদ বাব বলেছেন যে ওঁর ওখানে নদীয়া জেলায় দারুণ খাদ্যসমস্যা দেখা দিয়েছে এবং দ'টি লোকও নাকি যাবা আশুমপ্রার্থী হয়ে এসেছে, মাবা গেছে। আমাব কাছে বিভিন্ন জেলা থেকে যে সমন্ত খবর এসেছে, তার মধ্যে বে সমস্ত অনাহারী লোকের খবর এসেছে তা খেকে বলতে পারি, যে কোপাও একজন লোকও অনাহারে মারা যায় नি। (Si. Sibnath Banerjee: तिशा क्या ) (Si. Haripada Chatterjee: क्या ) এবছর ৭০ লক্ষ লোককে statutary rationingএব মধ্যে আনা হয়েছে। এবং ৫০ লক্ষ লোককে modified rationingএৰ আওতায় আনা হয়েছে। ১৯৪৯ সালে ১১ লক্ষ লোক modified rationএর মধ্যে ছিল, গত বৎসব ৩৬ লক্ষ লোক modified rationing ব্যবস্থার অধীন ছিল। বন্ধ হবিপদ বাবকে এখন নদীয়াৰ খবরটা বলি, নদীয়ায় এ বছর ১০ লক্ষ ৮৭ হাজার লোক modified ration পাচেছ। इतिপদ বাব বলেছেন, বছ জায়গায় চালেব দর বাড়ছে, ঠিক কথা। হাঁা, আমি জানি কোন কোন জায়গায় চালের দব বেডেছে। ৫৮ লক্ষ টুন ধানে যদি ২৯ লক্ষ টুন চাল হয় ভাহ'লে আমাদের ভেৰে দেখতে হবে কেন এই খাদ্য ঘাটতি হচেছ। মাধা পিছ ৪ মণ ২৫ সের চালের দরকার বছরে। বীজের জন্যও किছ थान त्रांबर्ट ह्या, छाद्रशेव किছু ज्ञशेष्ठ ह्या । France (धरक ज्ञामारमत्र एमर्ग धक्कन वर्ड देखानिक এনেছিলেন। তাঁদের দেশ—সেই যে "wonderful city of west" সেখানেও নাকি শতকরা ২০ ভাগ ফগল নট হয়ে যায়। আব দেক্ষেত্রে আমরা শতক্বা ১০ ভাগ ধরি। এই গ্র হিগেৎ করলে দেখা যাবে যে এটাও খাদ্য ঘাটতির একটা কারণ। এবা বলেন নিয়ন্ত্রণ বাখাব দরকার নাই , নিয়ন্ত্রণ রাখার জনাই নাকি माम बाजरक । भिरमाथ बाब बरलरकन या. जिनि यथन कठविदात शिरम्रक्रियन ज्थन राधारन ठारलन मन ४० ठीका ছিল। এক সময় পত্যই দাম উঠেছিল; এখন কুচবিহারের ৬ লক্ষ ৬৮ হাজার অধিবাশীর মধ্যে ৪ লক্ষ ৩৭ হাজাৰ লোক modified ration পাচেছ ৷ স্নতরাং আমি বলতে বাধ্য যে, তাঁরা অনেক সময় পুক্ত সংবাদ রাবেন না এবং অনেক সময় ইচছা করে ভল খবর দেন। কাজে কাজেই এইসব কথার উত্তর দেবার কোন দরকার নাই। আমি শুধ বলতে চাই যে, পশ্চিমবঙ্গ সরকার যেভাবে খাদ্যসমস্যার সমাধান করেছেন তাতে আমরা গর্ব অন্তব করি। এবং এই সমস্ত বিশ্রান্তিকর পচার বন্ধ করতে আমরা দশেংকলপ।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, there is a story I read some years ago that two boys fought on a street in London. They both were taken to the Magistrate—a big boy and a small boy. The Magistrate asked the big boy, "Did you hit the small boy?" He said, "Yes, Sir." He asked "Why did you hit him"? He said, "Because he called my sister squint." He asked "Is your sister squint?" He said, "No, I have got no sister." He asked, "Then, why did you hit him?" He said, "On principle; supposing I had a sister, of course, I have a right to hit him."

My friends in the Opposition seem to be under the same impulse. is nothing in the budget for good and for the refugees but they say, "Well, therefore we must discuss food and refugee on principle". If there is a budget which was sanctioned by the legislature in March last covering all that we need at the present moment, there is no purpose in our bringing a budget with regard to food item. My friends opposite will say, "Well, if you have money, why don't you give us more food?" That is a very relevant question. Only I wish we could eat money and satisfy our hunger. Our difficulty is not so much the question of money but the question of getting the material to fill our stomach with. However, my friends opposite have had the pleasure and the opportunity of discussing the food position. I wish that their talk had resulted in a little more food procurement and a little more food availability so far as West Bengal is concerned. Members might think that they have made a very delicate suggestion "the Bihar Government had offered to resign; why don't you resign?". If we had resigned, I don't know whether they would be able to come in or not. But even if they had come in, I wonder whether they would be able to satisfy and solve the problem that is before us. I can assure my friends opposite that we are doing as much as any other Ministry throughout India has done. We have done our best. We are still off from the conditions that we had witnessed in 1943 and I congratulate my Food Minister for the situation that we are placed in today. In spite of admittedly very high rise in the price of foodstuff, the conditions of the country cannot be considered to be one of famine.

Sir, I wanted to hear something about the various items of the supplementary estimates which I have the honour to present before the House. As nothing has been said I will leave this portion of the discussion and say "we should pass all these items without any division".

#### DEMANDS FOR GRANTS.

## Major Head: 8-State Excise Duties.

The Hon'ble SYAMA PRASAD BARMAN: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 3,74,000 be granted for expenditure under Grant No. 3, Major Head: 8—State Excise Duties, during current year.

Sir. in the Budget estimate of the 1951-52 a sum of Rs. 38,08,000 was provided for total expenditure. This includes Rs. 7,09,400 on account of cost of opium supplied to State Excise Department during 1951-52. A debit of Rs. 4,02,975 on account of cost of opium supplied in January to March, 1951, was received from the Government of India after the close of the accounts for the year 1950-51, and so the amount could not be adjusted during that period. The debit has, therefore, to be adjusted in the accounts of the current financial year and this together with the cost of opium supplied during the current year will exceed the Budget provision. Hence this supplementary grant.

Sir, with these words I move that the demand be accepted.

Mr. DEPUTY SPEAKER: Amendments Nos. 2 to 4 are out of order. Amendment No. 5 is also out of order.

# 8j. CHARU CHANDRA BHANDARI: How No. 5 is out of order?

Mr. DEPUTY SPEAKER: It hints at the policy of total prohibition. You cannot discuss the policy. It has been discussed during the General Budget discussion and, therefore, it is out of order.

8j. CHARU CHANDRA BHANDARI: Sir, my cut motion does not relate to the policy of the Government. It deals with the failure of Government.

The Hon'ble Dr. BIDHAN CHANDRA ROY: It deals with policy.

- 8j. BIMAL COMAR CHOSE: Sir, what you may take objection to is not discussion about opium but of other intoxicants. That does not come under the purview of this demand. The passage you read from May states that so far as demands that may be presented before the House relate to any policy, they might be discussed. So far as opium is concerned, I think that might be permissible, but you may not allow any discussion about other intoxicants.
- Sj. SIBNATH BANERJEE: Sir, if you read from May's Parliamentary Practice, Chapter XVIII, there is a note, namely, note No. 5, which makes it clear that policy can be discussed. Of course there is the discretion to the Speaker always, but in one particular instance the ruling of the Chairman has been given. Sir, it will take some time to read the whole of it, and I do not want to waste the time of the House. If you read note No. 5 you will find some particular examples. For instance, "I would say that a vote for the drainage of the embassy at Constantinople would clearly not raise the whole question of foreign embassies." So, that cannot be discussed. "But at the same time a vote which would largely increase the vote for a railway to Uganda might raise the whole question of the policy involved in the original vote for Uganda. So when this matter has been raised, it is conceivable that we can discuss the whole thing."
  - Mr. DEPUTY SPEAKER: I have understood your point.
- 8j. SIBNATH BANERJEE: Sir, let me make my submission. I would request you, Sir, to read the original and not the note supplied to you.
- Mr. DEPUTY SPEAKER: You are entitled to discuss all those things; it might be in order. But you may see the demand for the supplementary estimate where it is said that an additional grant is required to meet the debit received from the Government of India on account of cost of opium supplied to the State Government in the previous budget, i.c., during 1950-51. It seems an additional sum. Therefore it has been discussed at the time of the General discussion of the budget. Therefore I cannot allow it to be discussed now. So it is out of order.
- Sj. CHARU CHANDRA BHANDARI: মাননীয় ডেপুটি স্পীকার মহাপয়, এই Demand for Grant সথকে আনি দুয়েকটি কথা বলতে চাই। গত বাজেট আলোচনার সময় তিনি বলেছিলেন যে, মানদহ জেলায় prohibition policy introduce কৰা হয়েছে। এখানে আমি জানতে চাই এই policy introduce কৰেছেন কি না, আৰু যিনি না করে গাকেন তা কৰে করবেন। আরি করে থাকেন তবে স্থোনে opium বরুচ কত হয়েছে এই জিনিঘণ্ডলি তিনি দয়া করে বলুন। আমি গত বাজেট আলোচনাৰ কালে এটা বলেছিলাম যে, অন্য জিনিঘে যাই গবচ হোক না কেন, এই বাপোরে তাব চেয়ে অনেক বেশী বরুচ হচেছ। তিনি তাব উত্তরে বলেছিলেন যে, আনি expert নই। এই যে তিনি বলেনেন দাম কিছু কম হয়েছে এই কথাটা আমি বুঝাতে পারি না। দামের কথায় দরকাব নাই। আমি জিজালা কবছি মদ, আফিংও গাঁজার quantity স্বাধীনতা লাভের পূর্বে যেরকম বরুচ হোত এখন তার চেয়ে কম হচেছ কি না। আমার ধারণা অনেক বেশী খাচেছ, আর তিনি বলেন অনেক কম থাচেছ। তিনি আমাদের একটা হিসাব দিন, তাহ'লেই আমরা বুঝাতে পারব তাঁর কি policy adopt করছেন। আমি জিজালা করছি তিনি যে পলিসির কথা বলছেন তাতে মালদহ, West Dinajpur জেলায় কি পরিবাধ ক্ষকৰাৰ হয়েছেন। কোন কাজটা আরম্ভ করবেন তা ঠিক করে নিন। কারণ তাঁরা এক একবার করে বলেন

policy নিচেছন, কিছ কি policy নিচেছন তার কোদ ঠিক নাই। প্রত্যেক নাইই তবছি এক এক জেলা থেকে ধীরে বীরে আরম্ভ হবে, কিছ এ পর্বান্ত হরনি। ধীরে বীরে ত আলাদা কথা, তাঁরা কিছ করবেন কিলা তাই বলুন। policy discussion করে কি হবে। গাঁজা, আফিং ধাওরার বধ্যে আবার policy কি আছে ?

Mr. DEPUTY SPEAKER: जाशनि कि চান शिरोही वक्त ना उन्त ?

8j. CHARU CHANDRA BHANDARI: টাকা এখানে চাচেছন, কিছ টাকা পেলে কি হবে? টাকা দিলে কোন policy আসে না, টাকা ত্যাগ করলে policy আসে। অতএব হিসাব করে আমাকে বলেন যে, গাঁজা, আফিং, মদ তাতী খাওমা ১৯৪৭ সালের পর খেকে বেড়েছে কি না ? আমি জানি বহুগুণ বেড়ে গিয়েছে। আপনারা এ সম্পর্কে কডদুর কি করেছেন, সেটা ভাল করে বুরিয়ে দিন, তা না হলে এই টাকা আমরা দিতে পাবি না। (A VOICE: Sir, prayer time হয়েছে।)

Mr. DEPUTY SPEAKER: এখনও ১৫ মিনিট সমেছে ৷
(At this stage the House was adjourned for 15 minutes.)

"After adjournment."

The Hon'ble SHYAMA PRASAD BARMAN: মাননীয় ডেপুটি স্পীকার বহোদর, গত বাজেট অধিবেশনে পশ্চিববঙ্গ গতর্পবেশ্টের Excise policy সম্বন্ধে বিজ্বত আলোচনা হয়েছে। এই Supplementary Budgeta কেবল opiumaর বিষয়ই আছে। এবং আমি কেবল সেইটাব restrictionaর কথাই বলব। এই additional grantaর দরকার পড়েছে বর্তমান বছরে Government of India আমাদের State Government কে যে opium supply করেছেন তাব দরুল। এবং এর excise duty খুব বেশী বেড়েছে। এজন্য আমাদের এবানে opium consumptionও কিছু কমে গেছে। ভাহনেও আমাদের এক লক্ষ্ টাকার মতন revenue বেড়েছে।

তারপর আমাব বন্ধু হেমন্তবাবু বলেছেন যে পচাই তৈবীব দকণ অনেক চাল নই হয়; কিন্তু যে কয়নী জেলায় পচাই বেশী খায়—বর্জমান, বাঁকুছা ও বীবতুম—সেই তিনটী জেলায় বুরে এসে আমি এইটে বুঝেছি যে যখন চালেব দাম বেশী হয় তথন সেখানকার লোক পচাই খায়, তার কাবণ যেসর লোক পচাই বেতে অভ্যন্ত তাদের দশকন লোকের জন্য ৴৫ সের চালের দরকাব হয় কাবণ তাবা মজুর, পরিশুম করতে হয় বলে খায় বেশী। কিন্তু ৴৫ সের চালে যে পচাই হয় তাতে অন্ততঃ ৫০ জন লোক খেতে পাবে। এবং এই কবে তাবা অব বেলা ভাত ও আর এক বেলা পচাই বেয়ে অনেক চালের খবচ বাঁচায়। এবং এই পচাই তারা বাদ্য হিসাবেই খায়। স্বতরাং এই পচাইটা যদি বন্ধ করে দিই তাহলে খাদ্যমন্ত্রী মহাশয়তে এই খাদ্যাভাবের দিনে আর একটু টানাটানিতে কেলতে হয়, এটা আনরা বিশেষ আলোচনা করে দেখে বলছি যেখানে ৴৫ সের চালের পচাইয়ে ৫০ জন লোক খাচেছ। (Sj Kanailal De: এই theoryই যদি ঠিক হয় তাহলে কলকাতাতেও একবেলা বেশন না দিয়ে পচাই চালিয়ে দিন। হাস্য !!) আপনার বাঁকুড়াতেও আরি দেখেছি চালের দাম বাড়লে পচাই বেশী করে খায়।

ভারপরে চারু বাবু জিল্পাসা কবেছেন যে prohibition এব কথা আগে বলা হয়েছে ভার ব্যবস্থা করা হবে কিনা। তাঁর অবগতিব জন্য বলছি মালদা ও পশ্চিম দিনাঞ্চপুরে prohibition ব্যবস্থা পুৰতনের প্রাথমিক কার্য্য সম্পন্ন হয়েছে। কিন্তু একটা difficulty দেখা দিয়েছে, একটা legal deficiency দেখা দিয়েছে, এবং সেটা দুব কবার জন্য একটা Excise Act করা দবকার। এবং না করা পব্যস্ত আমরা অগুসব হতে পারছি না। এজন্য বিলের draft কবা হয়ে গিয়েছে, এই আইনের আবশ্যক সংশোধন হওয়ানাত্র আমরা সেখানে মাদক করা বর্জনের কাল ক্ষুক্ত করব। এর বেশী আমার আর কিছু বলার নাই।

The motion of the Hon'ble Syama Prasad Barman that a sum of Rs. 3,74,000 be granted for expenditure under Grant No. 3, Major Head: "8—State Excise Duties", during the current year, was then put and agreed to.

# Major Head: 10-Forest.

The Hon'ble HEM CHANDRA NASKAR: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,55,000 be granted for expenditure under Grant No. 5, Major Head: "10—Forest", during the current year.

Deputy Speaker নহাশ্য—নহামান্য গভৰ্ণবের স্থপারিস অনুযায়ী আমি পুল্কার করি যে, ১৯৫১-৫২ লালের আধিক বংসরের বায়ের জন্য "10—Forest" থাতে ২ লক্ষ্ণ ৫ হাজার টাকা মঞ্জুব করা হোক। ১৯৫০ সালে দাজিলিং জেলায় পুবল বৃষ্টি হওয়ায় মাটিব ধ্বস নাবিয়া যে বিপর্বায় ঘটে, তাব ফলে দাজিলিং সহরের সহিত যোগাযোগা বিচিছ্ণু হয়। কাশিয়াং হইতে বুম পর্যাস্ত Works and Buildings Departmentএর যে রাজা ছিল, তাহা অপন্য হইয়া পড়ে। বন বিভাগের অধীনে কাসিয়াং হইতে বুম পর্যাস্ত অন্য একটী রাজ্য। ছিল। বুমের মধ্য দিয়া দাজিলিং সহরের সহিত যোগায়োগা পুনংস্থাপনের জন্য উক্ত রাজা মেরামত ও পুশারিত করিয়া জনলাধারণের চলাচলোপযোগী করা হয়। এই বাবদ বরচের জন্যই উল্লিখিত অভিনিক্ত বরাজ্যের পুরোজন।

এই ধরট গত বংসর "50—"Civil Works" খাতে অতিরিক্ত বরাদের অন্তর্ভুক্ত করার পুতাব করা হইরাছিল কিন্ত রাজ্ঞাটী বন বিভাগের অবীনে থাকার এবং Works and Buildings Department এ হতান্তরিত না হওরার ১৯৫০-৫১ সালের শেষ ভাগে এই সিদ্ধান্ত হয় যে এই বরচ বন বিভাগের বাজেট হইতেই দেওরা হইবেক কিন্ত তখন উহা আর "10—Forests" খাতে ১৯৫০-৫১ সালের অতিরিক্ত ব্যায়বরান্তে অববা ১৯৫১-৫২ সালের সাধারণ বরান্তে ধরিবার সময় ছিল না। এই কাবণে এই বংসর ঐ বাবদ অতিরিক্ত বরান্তেন পুয়োজন।

8j HARIPADA CHATTERJEE: সহ সভাপাল মহাশ্য, আমি ঘোরতর আপত্তি করছি এই grant সহরে। আপত্তির যুক্তিটা হচেছ এই বে, এই রাজ্যাটার জন্য যে বায় গেটা Works and Buildings Department থেকে দেয়া উচিত ছিল, সেটা না দিয়ে এটা Forestএর বাড়ে চাপানোটা বুব অন্যায় হয়েছে। আমি গতবাবে বাজেট অধিবেশনে দেখিয়েছিযে, Communicationএ এক প্রমাও বায় হয় নাই। তিনটা জিনিঘ নাই। একটা হচেছ Forestএ যাবা কাজ করে তাদের ঘর বাঙী নাই। আব একটা হচেছ তাদের রাজ্যাঘাট নাই। অপচ বাজ্যাঘাটের তাদের একান্ত পুরোজন। কিন্তু যে রাজ্যাটা নাকি Forestএর কোন ব্যাপারই নয়, যেটা দাজিলিং, কালিয়াং আর যুন্নের রাজ্য এবং সকলেই যেটা ব্যবহার করে Forest বিভাগের যাব। কর্মী ভারাই নয়, আপানর সাধারণ সকলে, সেটা এই ভাবে Forest Departmentএর টাকায় তৈনী করার কোনই যুক্তি থাকতে পারে না। যে যুক্তি এবানে দেখানো হরেছে যে, এই বছরের পেঘ ভাগে একটা যে সিদ্ধান্ত গ্রহণ করা হয় যে, যেহেতু এই বর্তুমান রাজ্যটা formally Works and Buildings Departmentএ transfer করা হয়নি এই বাবদ অবশ্য ব্যায়ের কোন আংশ Civil Works Budgetএর বাতে debit হতে পারে না, অথচ ঐ বছরের Forestএর বাজেটে এজন্য কোন ব্যবহা করারও সময় ছিল না, এই যে ওছুহাত দেখিয়ে Works and Buildings Department-এব ন্যায়া ব্যরহার বিস্কু বাতে চাপানো হলো এটা কোন কাজের কথা নয়, এবং এ বিষয়ে আমাদের সিচানের মন্ত্রী মহাশ্যের বোরতর আপত্তি করা উচিত ছিল।

Mr. DEPUTY SPEAKER: All the cut motions are out of order.

The motion of the Hon'ble Hem Chandra Naskar that a sum of Rs. 2,55,000 be granted for expenditure under Grant No. 5, Major Head: "8—Forest", during the current year, was then put and agreed to.

## Major Head: 11-Registration.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,71,000 be granted for expenditure under Grant No. 6, Major head: "11—Registration", during the current year.

As has been explained, a large number of registration offices had to be opened to facilitate the grant of lands to displaced persons and the appointment of extra mohurrirs on piece-work rate was also necessitated. All these have led to the necessity of my coming up to this House for this Demand for Grant.

With these words, Sir, I move my motion and commend it to the acceptance of the House.

Mr. DEPUTY SPEAKER: Amendments Nos. 12 and 13 are out of order.

8j. SIBNATH BANERJEE: Mr. Speaker, Sir, আনার motionটা আপনি out of order বলছেন। Registry অফিসের কাজ দিনের পর দিন বেডাবে বেড়ে যাচেছ্ তাতে ছোট ছোট অফিস করা দরকার, কারণ, এতে লোকের হয়রানি অনেক কম হয়। তবে এই সম্বন্ধে আপনার যে কিছুটা মনোযোগ দিচেছন তাও মন্দের ভাল বলতে হবে। চাকরীর ব্যাপারে temporary basisu রাধার কোন অর্থ হয় না, কর্মচারীদের যতশীঘু সম্ভব স্থযোগমত স্বায়িভাবে বহাল করা উচিত। কুচবিহারে ২০ বংসরের temporary কর্মচারী আমরা দেখেছি। এসব বিষয়ে সরকারের দৃষ্টি দেওয়া উচিত। আমি আর বিশেষ কিছু বলতে চাই না।

The motion of the Hon'ble Niharendu Dutt-Mazumdar that a sum of Rs. 1,71,000 be granted for expenditure under Grant No. 6, Major Head: "11—Registration", during the current year, was then put and agreed to.

## Major Head: 27—Administration of Justice.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,20,000 be granted for expenditure under Grant No. 14, Major Head: "27—Administration of Justice", during the current year.

Sir, these amounts are necessitated mainly under two heads—one due to extra remuneration needed for the Law Officers, who are not Government servants, owing to increase in the number of cases—criminal sessions cases, habeas corpus and other cases—in the High Court and the Supreme Court, and the other is the head under the Sheriff and reporter. As is known, under the Sheriff's Act, the Sheriff's office which was a different concern has been taken over by Government and originally a sum of Rs. 70,000 was charged as a charged item. It was later found that this item should rather be a voted item—therefore, the need for this Demand for Grant and the charged item of Rs. 70,000 will be surrendered in due course. So, it is more in the nature of adjustment of accounts rather than incurring of extra expenditure. So, that explains itself.

As regards the necessity of increased remuneration for Law Officers, that has been due to the actual increase in volume of work. On that basis, this amount has been needed.

Mr. DEPUTY SPEAKER: Amendment No. 17 is out of order.

8j. CHARU CHANDRA BHANDARI: How is it out of order? It is to raise a discussion about failure of the Government to provide for the speedy disposal of criminal cases. এয়া বলেছেন Criminal Case বাড়াবার জন্য আরি বলিতেছি speedly disposal হয়ণি বলে। এটা কি করে out of order হয়।

Mr. DEPUTY SPEAKER: Mr. Bhandari, you are a pleader and you know that if there are 10 cases you have to engage 10 pleaders. Therefore, there is additional expenditure.

8j. CHARU CHANDRA BHANDARI: I do not know how the motion is out of order.

Mr. DEPUTY SPEAKER: Yes, it is out of order.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that the demand of Rs. 1,20,000 for expenditure under Grant No. 14, Major Head: "27—Administration of Justice" be reduced by Rs. 100. I move this in order to raise a discussion about the causes of unusual rise in the number of criminal cases in the State of West Bengal.

স্যার. এই সম্বন্ধে আমি একবার বলেছি, তবু ব্যাপারটা ধুবই গুরুত্বপূর্ণ ব'লে ভারে। খ-একটা কথা বলতে চাই। শুধু যে criminal caseএর শংখ্যা বেডেছে Government नित्य बनाइन व increase is due to unusual rise। এই unusual riseहा व्यन इ'न ? একটা দেশে criminal caseএর সংখ্যা বাড়ে কখন ? আজ মানুম কেন এত খারাপ হ'ল : সকলেই ভাবেন যান্য এমনিতে খারাপ নয়। Circumstances make them what they are. মানম কি হবে না হবে তা পরিদেশের উপর নির্ভর করে। আমাদের আজ কি অবস্থা ? মানম খেতে পরতে পাচেছ না, চাকরীর কোন ব্যবস্থা নাই, লোক বেকার হ'য়ে যুরে বেড়াচেছ। মালিকেরা সরকারের সাহায্যে শ্বিকদের বেকার করছে, উয়াস্তরা আশুর পাচেছ না। এই যদি অবস্থা হয় তা হ'লে criminal caseএর সরকারের ধান্যসংগ্রহ নীতির ফলেও criminal caseএর সংখ্যা বাডছে। সংখ্যা বাডতে বাধ্য। এই ধানাসংগ্রহ নীতিসংক্রান্ত বিভিন্ন ব্যাপারে যদি অনুসন্ধান করে দেখা যায় গত ১ বংগরের মধ্যে কত case Governmentএর করতে হয়েছে বা এখনও কবতে হয় যদি লে সম্বন্ধে একটা statistics নেওয়। যায় তবে বোঝা যায় how faulty has been the procurement policy of the Government। তারপরে দিনদপরে কলকাতা সহরে ডাকাতি হচেছ। আমি বছদিন থেকে কলকাতা আছি। এত অধিক সংখ্যায় দিনেদপরে ডাকাতি কলকাতায় এব আগে কখনও হয় নি। এসৰ ডাকাতি organised gang হারা হচেছু। व्यादको। कथा, detenueएन व्यनाग्रजात ४ त त्राथा शराह । अपन अथन ४ त त्राथतात कान कान नाहे, Government ছোর ক'রে ধ'রে রাবছেন। সেজন্য অনেক Habeas Corpus case হচেছ। Hunger strikeএর hunger march প্রায়ই দেখা যায়; teargas ও লাঠি প্রায়ই চলে। এশব তো সর্বরদা হচেছ। স্নতরাং এ নিয়ে caseএর সংখ্যা বেড়ে যাচেছ। কুচবিহারে গুলি চালনার কথা সকলে জানেন। জলপাইগুড়িতে যে abnormal rise in price হয়েছে তাতে সামাজিক ও অর্থনৈতিক অবস্থার ৰিপৰ্যায় ষটেছে। গভৰ্ণমেণ্ট এইসৰ সম্বন্ধে সম্পূৰ্ণ উদাসীন। এইভাবে criminal case বেডে যাচেছ. কিন্তু এর পতিকারের জন্য যা করা দরকার তা Government করছেন না। আজ Supplementary Estimate जाना रायाहा। এটা পানও राय जानि; किन्ह जानन পুতिकात किन्न रायाहा ना। जानात মনে হয় Nero was fiddling while Rome was burning, স্পত্রাং আমি ৰলছি গভূপিৰেণ্ট তাঁদের এই উদাসীনত। পরিহার ক'রে এই সব সমস্যাসমাধানে এগিয়ে স্বাস্থন।

Sj. Sibnath Banerjee: Mr. Speaker, Sir, তুরু Education Ministerই তুল করেন না, administration of justice যাঁর হাতে তিনিও তুল করেছেন। আগে বাজেটের সমর charge দেখিয়ে এখন তিনি বলছেন তুল হয়েছে। আজকে এতদিন পরে তিনি কি দেখেছেন জানি না, কিন্তু it was considered by a later decision। এখানে আমি বলতে চাই তাঁর decision wrong পরিচ্কারতাবে এটা বলা হ'লে তাল হ'ত। এটা হচেছ পূথম কথা। যিনি এখানে এটা পেশ্ব করেছেন অর্থাৎ মন্ত্রীমহাশরের অন্তত জানা উচিত ছিল। কিন্তু আর একটা জিনিগ আমি বলতে চাই, অদৃষ্টের কি নির্মার পরিহাল। এই Habeas Corpus নিয়ে একটা পুকাও case হ'য়ে গেল। আমরান High Court থেকে release হবার সঙ্গে কেন্দ্রে উথানেই আবার arrest হলার। আমানের ববাে Niharendu Dutt-Mazumder বহাশরও ছিলেন, তিনি তারপর একটা case করলেন—contempt of the Court. আজকে তিনি নন্নী হ'য়ে, সেইসমন্ত কথা তুলে গিয়েছেন এবং তিনি এখন এবনতাবে Habeas Corpus case করছেন যে খারে বারে তিনি High Courtএর কাছে ধাকুকা খাছেবন।

আবরা তথন বতর্ণবেণ্টকে অব্দ করবার ও ভালভাবে বিচার করবার স্থবোগ পেরেছিলাব ও বড়ক্সকেটকে ভাল ক'রে লোকচক্ষে হাল্যাম্পদ করবার স্থযোগ পেরেছিলাব। আজকে তিনি মন্ত্রী হ'রে সেই কাল্প করছেন, বে কাজের বিরুদ্ধে, এক সময় তিনি জেলের ভিতর থেকে, আবাদের সঙ্গে নিলেমিশে এবং বাইরের উক্জিদের সঙ্গে পরারশ ক'রে লড়েছেন। (Here the blue light was lit)। স্পীকারস্কহাদর, আবাকে একটু বেশী সময় দিতে হবে।

জিনিসটা special occasion4. Habeas Corpus special Courtএর ব্যাপার। কিন্তু আমি বলতে চাই যে এই haboas corpusএর case করতে গিরে অবস্থা যা দাঁডিয়েছে তাতে আমর। আমাদের নতন Constitution । যেটক আইনগত অধিকার পেয়েছিলার জাও ক্ষণ করা হচেছ। জনসাধারণের এইটক আইনগত অধিকার বর্ডমানে মন্ত্রীমহাশয়রা দিতে চান না ব'লেই खाँएमत এই সমস্ত habeas corpus case छनि fight कतरू दय अवः अत सना बद्द होता ৰায় হয়। বিনা বিচারে যদি কাউকে আটক রাখা না হয়, তা'হ'লে কোন habeas corpus case করতে হয় না, এবং উকিল্পের জন্য extra expenditure ক'রে এত টাকার অপব্যবহারও হ'ত না। পর্বের नीशांद्रक वांव य गमछ habeas corpus cased fight करत जान नाम वर्कन करत्रिक्तन, আরু তাঁর ব্যবহারে সে নাম উলটে গিয়েছে। তিনি জনসাধারণের কাছে, আজ অবিশ্যাসের পাত্র হ'য়ে উঠেছেন। Habeas corpus किनियों England अब कोइ (शंदक निष्मा देशाइ) कि दिन पा या या. সেখানে একটি লোককেও বিনা বিচারে আটক রাধা যায় না। সেধানে কাউকে দোঘী বলে ধরা হ'লে, তাকে ত্তংক্ষণাৎ কোটের সামনে produce করতে হয়, এই অধিকার সেধানকার জনসাধারণের আছে। কিন্তু এখানে তা হয় না ; বহু লোককে বিনা বিচারে আটক রাখা হয়, এবং সেই জন্য এত টাকা দরকার হচেছু। এটা অত্যন্ত লজভার কথা।

গভগ্নেণ্ট special situation meet করবার জন্য এই যে Habeas corpus নীতি ক্সরেছেন, আমি তার আমল পরিবর্ত্তন চাচিছ। বিনা বিচারে কাউকে আনক রাখতে পারবেন না। তবে special situation এ, যেমন war emergency যদি হয়, তাহ'লে আলাদা কথা। Habeas corpus case कत्रतन तानी तानी छिकितनत्र पत्रकात शता কিন্তু গভর্ণমেণ্টের যেসমন্ত উকিল নিযক্ত আছে, তাদের দারা কাজ পাচেছন না। যেমন আপনার। হাওড়ায় দইটা case করেছিলেন. Tribunalএর রায় অমান্য করবার জন্য। এই দুইটা caseই আপনাদের fail করেছে। জামি বলেছিলাম উপরের কোটে appeal করুন, কিন্তু তাঁরা appeal করতে চান নি। Governmentই পার্টির হ'মে case করেছিলেন, এবং তাঁরা caseএ হেরে গিয়েছেন। আমি বলেছিলাম আপনাদের উকিল না দিয়ে, বাইরের ভাল উকিল দিয়ে, caseটি appeal করা হোক। কিন্তু তা করেন নি এবং দেই জন্যই তাঁরা caseএ হেরে গিয়েছেন এবং এত টাকা অপবায় করা হয়েছে। Industrial Dispute Act ভাৰ যেসমন্ত উকিল আছেন. তাঁরা क'रत खात्नन ना. এবং खरनक नमग्र खामात्र काছ थिरक वर्षे निरंग शरहन। স্থতরাং how can they do iustice.

আপনার। যেখানে justice করতে চান, সেখানে injustice হচেছ—এইদিকে আপনাদের দৃষ্ট আকর্ষণ ক'রে আমার বক্ততা শেষ করছি।

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I shall only briefly reply to the points raised. My honourable friend Dr. Banerji tried to lay the blame for the increase of crimes on the Government. I should only like to remind him that the blame for unusual rise in the number of criminal cases should properly be laid not on the State Government but on the one hand on the criminals and on the other on those who instigate the commission of crimes, on organisations fostering subversive movements for their political purposes, on those who, instead of alleviating misery, try to exploit the misery and lead the people on to crime rather than eliminate the root causes of the crimes. This should be plain enough and I do think that my friend Dr. Banerji would realise that the increase of crime with the increase of national misery owing to causes beyond the control of this unfortunate land, needs the co-operation of all parties concerned actuated

with the spirit of national interest to put down crime and to encourage constructive and concrete activities for the solution of the major problem, instead of taking advantage of the misery of the people in order to make political capital out of it. I need hardly say more on this point.

With regard to the point raised by my friend Mr. Sibnath Banerjee I should like to tell him that on the habeas corpus cases the State appears as the respondent and presents before the court what in their opinion is the correct legal position. Beyond that the State takes no responsibility before the Court. It is entirely for the courts to decide on merits as to the justification or otherwise of the action taken or whether or not to exercise their powers under habeas corpus provision. There cannot be any policy of Government in regard to such matters except to uphold the existing legislation enacted by this House and to establish the validity of application thereof and the Government takes upon itself the responsibility of justifying the enactments of this House and to vindicate those enactments before the Court. The judicial decision entirely lies with the court. My friend tried to remind me of the former days, but seems to forget that a tremendous change has come about since then. In the former days there was no national State for the Indian people and it was the sacred duty of everybody to overthrow that foreign Government. If, God forbid, any foreign Government comes—that will not be the case at least for centuries to come we shall not be sitting on this side of the House. We shall know where to take our place. Today a national Government has come into existence and it is our bounden duty, despite party differences, to be loyal to that State, to be loyal to the country and the State. In the former days it was the patriots who were thrown behind the prison bars, but today they are people of doubtful probity and allegiance who go against the State, today they are people who are suspected of treasonable activities against the interests of the State and the community. So this difference and distinction should be very clearly kept in mind and understood. Sir, I need hardly add more. The legislature in making its enactments giving special powers, does take the responsibility in the light of the existing situation in the country and it is the responsibility of Government to see that those enactments are vindicated before the court of law. Beyond that it has no responsibility. The High Court pronounces its judicial opinion on the merits of each individual case that comes forward and it is the duty of the State to look to the safety and security of the State and the community.

Sir, with these words I commend my motion to the acceptance of the House.

The motion of Dr. Suresh Chandra Banerji that the demand of Rs. 1,20,000 for expenditure under Grant No. 14, Major Head: "27—Administration of Justice" be reduced by Rs. 100, was then put and a Division taken with the following result:—

#### AYES-9.

Badrudduja, Janab Syed. Bandyopadhyaya, 8j. Pramatha Nath Banerje, 8j. Sibnath Banerji, Dr. Suresh Chandra Basu, 8j. Hemanta Kumar

Bhandari, 8]. Charu Chandra Chatterjee, 8]. Haripada De, 8]. Kanai Lai Sen, 8]. Debendra Nath

#### NOE8-42.

Abdul Wahid Sarker, Janab Abdus Shokur, Janab Banerjee, Si. Sushii Kumar Barman, The Hon'ble Syama Prasad Bhattacharyya, Sj. Shyamapada Chaudhuri, The Hon'ble Rai Harendra Nath Das, Sj. Radha Nath Das Gupta, Sj. Khagendra Nath Dass, Sj. Kanailaj Dutt-Mazumdar, The Hon'ble Niharendu Gayen, 8]. Arabinda Gomes, Mr. D. Gupta, 8]. J. C. Haldar, 8]. Kuber Chand Kazem Ali Mirza, Janab Shahibzada Kawan Jah Salyid Khuda Bukhsh, Janab Md. Mahammad Kased Ali, Janab Mahanty, 8]. Charu Chandra Maiti, The Hon'ble Nikunja Behari Majumdar, The Hon'ble Bhupati Mai, 8]. Iswar Chandra Mandal, 8]. Annadaprasad Mandal, 8]. Annadaprasad Mandal, 8]. Krishna Prasad Misra, 8]. Sowrindra Mohan

Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada
Murarka, Sj. Basantiai
Nasker, Sj. Ardhendru Sekhar
Naskar, The Hon'ble Jadabendra Nath
Pentony, Mr. L. R.
Poddar, Sj. Anandiial
Pramanik, Sj. Rajani Kanta
Rafuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Roy Singh Sarker, Sj. Satish Chandra
Zaman, Janab A. M. A.

The Ayes leing 9, the Noes 42, the motion was lost.

The motion of the Hon'ble Niharendu Dutt-Mazumdar that a sum of Rs. 1,20,000 be granted for expenditure under Grant No. 14, Major Head: "27—Administration of Justice" during the current year was then put and agreed to.

# Major Head: 36-Scientific Departments.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 50,000 be granted for expenditure under Grant No. 18, Major Head: "36—Scientific Departments", during the current year.

The motion was put and agreed to.

### Major Head: 38-Medical.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Re. 1 be granted for expenditure under Grant No. 20, Major Head: "38—Medical", during the current year.

The motion was put and agreed to.

#### Major Head: 56-Stationery and Printing.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, may I move the grant standing in the name of the Hon'ble Nalini Ranjan Sarker?

# Mr. DEPUTY SPEAKER: Yes.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 7,50,000 be granted for expenditure under Grant No. 33, Major Head: "56—Stationery and Printing", during the current year.

The motion was put and agreed to.

#### Major Head: "57-Miscellaneous-Miscellaneous".

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, may I move the motion standing in the name of the Hon'ble Nalini Ranjan Sarker?

Mr. DEPUTY SPEAKER: Yes.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 9,47,000 be granted for expenditure under Grant No. 34, Major Head: "57—Miscellaneous—Miscellaneous", during the current year.

The motion was put and agreed to.

# Major Head: Loans and Advances bearing interest.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 10,00,000 be granted for expenditure under Grant No. 41, Major Head: Loans and Advances bearing interest, during the current year.

The motion was put and agreed to.

# Adjournment.

The House was then adjourned at 7-35 p.m. till 3 p.m. on Wednesday, the 3rd October, 1951, at the Assembly House, Calcutta.

# . Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 3rd October, 1951, at 3 p.m.

### Present:

Mr. Deputy Speaker (Sj. Ashutosh Mallick) in the Chair, 12 Hon'ble Ministers and 63 members.

# STARRED QUESTIONS

(to which oral answers were given)

#### Promotions in Education Directorate

- \*27. 8]. HARIPADA CHATTERJEE: (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state—
  - (i) whether there are any criteria that are usually taken into consideration in the matter of promotions in the Education Directorate;
  - (ii) if so, what are they; and
  - (iii) whether they were followed in the Education Directorate in cases of promotions occurring during 1949?
  - (b) Will the Hon'ble Minister be also pleased to state—
    - (i) whether any memorial was received by Government from Sri Kamal Kumar Ganguly, a member of the staff of the Director of Public Instruction's office; and
  - (ii) if so, what action has been taken thereon?

# MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): $(a)(\iota)$ Yes.

- (ii) Persons are selected for promotion generally on merit or merit combined with seniority.
  - (iii) and (b)(i) Yes.
  - (ii) It was rejected.
- **8j. DEBENDRA NATH SEN:** With regard to reply (b)(i) will the Hon'ble Minister be pleased to state what was the memorial sent to him for? What did the memorialist Mr. K. K. Ganguly ask for?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: This memorial was to the effect that he should have been retained in the post.

8]. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state why was it rejected?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Because he was neither the seniormost nor the most efficient.

**Sj. DEBENDRA NATH SEN:** Will the Hon'ble Minister be pleased to state whether there is any committee for the purpose of selecting persons for promotion?

#### The Hon'ble Rai HARENDRA NATH CHAUDHURI: No.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether these matters of promotion are referred to the Public Service Commission?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: These are Directorate clerical appointments and these are not sent to the Public Service Commission.

# Fall in the percentage of successful candidates in the different examinations of the Calcutta University

- •28. Sj. DEBENDRA NATH SEN: Will the Hon'ble Minister in charge of the Education Department be pleased to state—
  - (a) if he is aware that there has been a large tall in the percentage of successful candidates in the Matriculation, I.A., I.Sc. and B.A., B.Sc. examinations of the Calcutta University each year for the last five years; and
  - (b) whether the Hon'ble Minister would set up an Enquiry Committee to investigate the cause of such fall in the percentage?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: (a) There has been an appreciable tall in the percentage of successful candidates in Matriculation, I.A., I.Sc., and B.A., B.Sc. examinations since 1949 and not for the last five years.

- (b) Government do not feel that it would be useful to set up an Enquiry Committee as proposed by the honourable member. As the honourable member is aware steps have already been taken for proper supervision and control of the Secondary Education by constituting a Board of Secondary Education. It is also hoped that it would be possible for the University of Calcutta, as reconstituted under the new Act, to devote greater attention of the improvement of Collegiate Education. With the proper functioning of the newly constituted Board of Secondary Education and the reorganisation of University of Calcutta, Government have every reason for believing that much of the wastage will in due course be eliminated.
- **8j. DEBENDRA NATH SEN:** With regard to reply (a) will the Hon'ble Minister be pleased to state the reasons for this sudden fall in the percentage of successful candidates?
- The Hon'ble Rai HARENDRA NATH CHAUDHURI: I am not particularly aware of the reasons, but the reason that has been given by the Vice-Chancellor in more than one of his addresses is that the University has ceased to give grace marks.

sj. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether this sudden fall has begun to take shape since the new Vice-Chancellor came into office?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Since 1949 as I have stated.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether this fall is due to the fact that the West Bengal Government spends the least for higher education compared to that spent by the other States?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: It is absolutely untrue.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state what is the percentage of Government expenditure for higher education in Bombay?

The Mon'ble Rai HARENDRA NATH CHAUDHURI: I do not exactly remember, but all that I can say is that except United Provinces West Bengal spends the largest on higher education.

8j. DEBENDRA NATH SEN: Is the Hon'ble Minister aware that the Bombay Government spends 14 per cent. of their revenue on higher education whereas West Bengal spends only 9 per cent.?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I am not prepared to accept any higher figure from the honourable member opposite.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state as to whether the sudden fall in the passes has been due to any defect in the system of education that is prevailing in the University?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: It is very difficult to say. But I have already said that improvement in education will be brought about by the two Boards—the Board of Secondary Education and the Board for the Reorganisation of the University of Calcutta.

8]. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if it is to be assumed from the answer given that there is some defect in the system of University education?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: The Calcutta University deals with Post-Graduate education, I believe.

8j. BIMAL COMAR CHOSE: 1 mean collegiate education for the Intermediate and the Degree courses.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: The University only supervises the colleges and does nothing more.

8]. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if the system of education as obtains in the colleges today is defective, in view of the answer just now given?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: May be, when such is the higher percentage of failure.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether there has been a sudden fall in the level of average intelligence of Bengali boys and girls?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: I  ${\rm do}$  not presume so.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether it is a part of a deliberate policy on the part of the Calcutta University inspired by the Government?

The Hon'ble Rai HARENDRA NATH CHAUDHURI: It is absolutely untrue. I am not prepared to answer any untruthful insinuation.

# Promotion of gazetted and non-gazetted officers after partition

- \*29. 8j. ANNADA PROSAD CHOUDHURY: Will the Hon'ble Minister in charge of the Finance Department be pleased to state—
  - (a) how many gazetted and non-gazetted officers have been promoted after partition of Bengal and how many of them are optees from East Bengal;
  - (b) whether all the promotions have been regulated by the Government Order 146-H.T.O.; and
  - (c) if not, which categories of officers have been exempted from the operation of the said order, and why?

The Hon'ble Dr. BIDHAN CHANDRA ROY (on behalf of the Hon'ble Nalini Ranjan Sarker): (a) The information is not readily available. The collection of the information will involve compilation of a very large number of names from about 722 offices under Government. Government consider that the labour and time required for compilation of the information is quite incommensurate with its value.

- (b) A copy of Home (Transfer) Department Circular No. 146-H.T.O. is placed on the Library table. It will appear that the order has nothing to do with promotions.
  - (c) Does not arise.
- 8j. ANNADA PROSAD CHOUDHURY: Supplementary question, Sir, circular order 146-H.T.O.তে বলা হয়েছে যে যে সমস্ত optee officers এই দেশে এসেছেন তাঁদের appointment tentative and তাঁরা যতদিন এখানে absorbed না হ'ন, ততদিন পর্যান্ত তাঁদের পুরাতন বেতনের হারে তাঁরা নাইনে পাবেন, সেই জন্য যাঁরা এখানে optee আছেন তাঁরা যে transfer পেরছেন বা promotion পেরছেন অথচ absorbed হ'ননি সে সম্বন্ধ মাননীয় মারীমহাশয় অবগত আছেন কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: My friend has introduced a new question. His question formally was how many have been promoted, and not transferred. Therefore the whole answer is based upon that word "promotion", and the circular issued has nothing to do with promotions.

8j. ANNADA PROSAD CHOUDHURY: Circularএর বব্যে আছে—বারা optees "Their postings are tentative". সেই সমন্ত optees বাঁরা এসেছেন, তাঁরা সেই সমন্ত tentative postus বব্যে আছেন, এ বিষয় বাননীয় মন্ত্রীমহাশয় অবগত আছেন কি:

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot give any answer, but I have said that the time and labour necessary for collecting the information of all the optees would not be commensurate with its value. But if my friend wants information about a particular case, I may be able to find out the answer.

8j. ANNADA PROSAD CHOUDHURY: Supplementary question, Sir, এই সময় optee officerদের tentative postu appointment হয়র জন্য তাদের আলাদা attendance roll, attendance register ইত্যাদি রাধা হয় কি?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

8J. ANNADA PROSAD CHOUDHURY: মাননীর বহীবহাণর অনুস্থান করে দেখবেন কি যে optee officerদের আলাদা categoriesতে রেখে তাদের attendance register ও attendance roll আলাদা রাধার ফলে তাদের যে সমস্ত claim, promotion পাবার জ্বন্য অধিকারী তা থেকে তারা বৃহত হচেছ ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I will make enquiry.

8j. ANNADA PROSAD CHOUDHURY: Supplementary question, Sir, এই রকম tentative postএ তাদের appointment হওরার ফলে, মাননীয় মন্ত্রীমহাশয় কি অনুসন্ধান করে দেশবনে যে শনী কুমার ভটাচার্য্য, প্রভাস চক্র বোদ, ও রাসবিহারী সিংহ মহাপাত্র যারা Administration of General Trusteeco কাল করেন, বারা আগে lower division clerk ছিলেন, তাদের এই অবস্থা হরেতে?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I will find out.

# Travelling and motor car allowances drawn by the Hon'ble Ministers and the Parliamentary Secretaries

- \*30. 8j. JYOTI BASU: Will the Hon'ble Minister in charge of the Finance Department be pleased to state—
  - (a) the amount of expenditure incurred during the last financial year and the current year up to 1st March, 1951, on account of—
    - (i) travelling and motor car allowances separately in respect of each of the Ministers,
    - (ii) travelling allowance in respect of each of the Parliamentary Secretaries and the Government Whip, and
  - (iii) travelling allowance in respect of the staff accompanying the Ministers and Parliamentary Secretaries on tour;
  - (b) the total number of days during the current financial year up to 1st March, 1951—
    - (i) each Minister was present in the Headquarters in Calcutta, and
  - (ii) Government motor cars placed at the disposal of the Ministers were used by each of the Ministers; and
  - (c) if he considers the desirability of taking steps to reduce expenditures on account of travelling and motor car allowances of the Ministers?

The Hon'ble Dr. BIDHAN CHANDRA ROY (on behalf of the Hon'ble Nalini Ranjan Sarker): (a)(i) Statement showing the travelling and motor car allowances drawn by the Hon'ble Ministers is placed below.

- (ii) Statement showing the travelling allowance drawn by the Parliamentary Secretaries and the Chief Whip is placed below.
  - (iii) During 1949-50-Rs.19,654-5-0.

During 1950-51 (up to 1st March)—Rs.18,182-6-0.

- (b)(i) Statement showing the total number of days the Hon'ble Ministers were present in the Headquarters in Calcutta during the period is placed below
- (ii) Statement showing the Pool vehicles used by the Hon'ble Ministers during the period is placed below.
- (c) The expenditure is being kept at the minimum consistently with public interest.

Statement referred to in reply to clause (a)(i) of starred question No. 30

Amount of travelling and motor car allowances drawn by the Hon'ble
Ministers during 1949-50 and 1950-51 up to 1st March

	1949-50.				1950-51 up to 1st March.			
Name.	Travelling allowance.		Motor car allowance.		Travelling allowance.		Motor car allowance.	
	Rs.	a.	Rs.	<b>a</b> .	Rs.	a.	Rs.	8.
(1) Hon'ble Dr. Bidhan Chandra Roy.	8,434	0	3,000	0	6,291	0	3,000	0
(2) Hon'ble Sri Nalini Ran- jan Sarker.	510	0	3,000	0	N	Vil	3,000	0
(3) Hon'ble Sri Rai Haren- dra Nath Chaudhuri.	550	5	3,000	0	426	O	3,000	0
(4) Hon'ble Sri Bimal Chandra Sinha.	2,339	4	3,000	0	N	Til .	887	2
(5) Hon'ble Sri Niharendu Dutt-Mazumdar.	4,847	10	3,000	0	3,221	8	3,000	0
(6) Hon'ble Sri Kalipada	4,478	12			2,651	8	••	
Mookerji. (7) Hon'ble Sri Hem Chandra Naskar.	3,067	8	3,000	0	2,769	0	3,000	0
(8) Hon'ble Sri Bhupati Majumdar.	3,514	8	••		2,059	8	••	
(9) Hon'ble Sri Nikunja Behari Maiti.	1,759	4	3,000	0	651	2	3,000	0
(10) Hon'ble Sri Jadabendra Nath Panja.	1,095	0			945	0	••	
(11) Hon'ble Dr. Rafiuddin Ahmed.			••		2,763	12	1,967	12
(12) Hon'ble Sri Prafulla Chandra Sen.	5,345	4	3,000	0	2,311	0	3,000	0
(13) Hon'ble Sri Syama Prasad Barman.	1,996	2	2,847	0	2,489	0	3,000	0
Total	37,937	9	26,847	0	26,578	6	28,967	12

# Statement referred to in reply to clause (a)(ii) of starred question No. 30

Travelling allowance drawn by the Parliamentary Secretaries and the Chief Whip during 1949-50 and 1950-51 (up to 1st March, 1951)

Name.	1949-50.	1950-51.
	Rs. a.	. Rs. a.
(1) Sri Sushil Kumar Banerjee, Chief Whip	1,274	9 46 4
(2) Sri Rajani Kants Pramanick, M.L.A., Parliamentary Secretary.	1,080 1	1 1,563 6
(3) Sri Nishapati Majhi, Parliamentary Secretary	1,015	0 1,415 10
(4) Sri Kansi Lal Das, Parliamentary Secretary	470	<b>4</b> 301 4
(5) Sri K. P. Mondal, Parliamentary Secretary .:	1,172 10	608 1
(6) Sri H. N. Doloi, Parliamentary Scoretary	<b>52</b> 13	300 3
(7) Sri B. B. Mondal, Parliamentary Secretary	827 11	190 14
(8) Janab Shamsul Haque, Parliamentary Secretary		42 10
Total	5,893 10	4,468 4

# Statement referred to in reply to clause (b)(i) of starred question No. 30

TOTAL NUMBER OF DAYS THE HON'BLE MINISTERS WERF PRESENT IN THE HEADQUARTERS IN CALCUTTA DURING 1950-51 (UP to 1st March, 1951)

			Days	•
(1)	Hon'ble Dr. B. C. Roy		294	
(2)	Hon'ble Sri Nalini Ranjan Sarker		307	
(3)	Hon'ble Sri Rai Harendra Nath Chaudh	uri	316	
(4)	Hon'ble Sri Bimal Chandra Sinha		60	(He was on duty for 79 days only.)
(5)	Hon'ble Sri Niharendu Dutt-Mazumdar		274	
(6)	Hon'ble Sri Kalipada Mookerji		297	
(7)	Hon'ble Sri Hem Chandra Naskar		313	
(8)	Hon'ble Sri Bhupati Majumdar		298	
(9)	Hon'ble Sri Nikunja Behari Maiti		264	
(10)	Hon'ble Sri Jadabendra Nath Panja		293	
(11)	Hon'ble Janab Rafiuddin Ahmed	••	198	(Assumed charge on the 4th July, 1950.)
(12)	Hon'ble Sri Prafulla Chandra Sen		297	•••
(13)	Hon'ble Sri Syama Prasad Burman	••	261	

# Statement referred to in reply to clause (b)(ii) of starred question No. 30

Number of days Pool vehicles were used by Hon'ble Ministers during the period 1st April, 1950, to 1st March, 1951

				:	Days.
(1)	Hon'ble Dr. Bidhan Chandra Roy		• •		4
<b>(2</b> )	Hon'ble Sri Bhupati Majumdar				334
(3)	Hon'ble Sri Kalipada Mookerji	• •	• •		330
(4)	Hon'ble Sri Jadabendra Nath Panja		••		311
(5)	Hon'ble Sri Syama Prasad Barman		• •		279
(6)	Hon'ble Sri Hem Chandra Naskar	• •			11
(7)	Hon'ble Sri Nalini Ranjan Sarker	••	• •		1
(8)	Hon'ble Sri Niharendu Dutt-Mazumdar		• •		147
(9)	Hon'ble Dr. Rafiuddin Ahmed				77
(10)	Hon'ble Sri Nikunja Behari Maiti				264
(11)	Hon'ble Sri Prafulla Chandra Sen				304
(12)	Hon'ble Sri Bimal Chandra Sinha		••		Nil
(13)	Hon'ble Sri Rai Harendra Nath Chaudhuri				Nil

**8j. JYOTI BASU:** With reference to statement in reply to clause (a)(i) of the question, will the Hon'ble Minister be pleased to state why the sum of Rs. 3,000 as motor car allowance stands in the name of Sri Nalini Ranjan Sarker who has been ill and has not been coming for his work in the Writers' Buildings and in the Assembly.

The Hon'ble Dr. BIDHAN CHANDRA ROY: He draws the allowance according to the provisions of the Act and the rule under the Act gives him power to draw the allowance.

8j. JYOTI BASU: Even if the Hon'ble Ministers are ill and absent and are at home, are they entitled to draw this allowance?

The Hon'ble Dr. BIDHAN CHANDRA ROY: The allowance is drawn according to the Minister's Emoluments Act, 1948, which says,—a motor car allowance at the rate of Rs. 250 per mensem to each of the Ministers including the Premier.

**8j. JYOTI BASU:** With reference to the statement in reply to clause (h)(i) of the question at page 4, will the Hon'ble Minister be pleased to state how it was possible for the following Ministers, for instance, to use the motor car for a greater period than they were present in Calcutta? I am referring to the Hon'ble Kalipada Mookerji, Hon'ble Bhupati Majumdar, Hon'ble Jadabendra Nath Panja and Hōn'ble Prafulla Chandra Sen because I do not understand how these figures can tally.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Because the Ministers travelled in the pool car even when they were not in headquarters.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state as to whether the motor car allowance is payable when the Minister owns a motor car or not?

The Hon'ble Dr. BIDHAN CHANDRA ROY: The rules are—motor car allowance at the rate of Rs. 250 per mensem to each of the Ministers provided that if for any period exceeding 30 days a motor car is made available to any Minister for his use at the expense of the Provincial Government, no motor car allowance shall be payable to such Minister for such period.

**8j.** KANAI LAL DE: এই বে statement দিরেছেন বস্ত্রীবহাশর, বে কতদিন কলকাতার headquarterএ মন্ত্রীদের থাকা হয়েছে, তাতে দেখা যায় মাননীর নলিনী রঞ্জন সরকার মহাশরের ৩০৭ দিন এখানে উপস্থিত থাকার কথা বলা হয়েছে। এর মধ্যে কত দিন তিনি Writers' Buildings মহাকরণ স্থাকিলেব থেতে পেরেছিলেন?

The Hon'ble Dr. BIDHAN CHANDRA ROY: 1 want notice.

8j. KANAI LAL DE: এই ৩০৭ দিনের বধ্যে যথন Assembly a sitting হয়েছিল, তার বধ্যে ক দিন তিনি উপস্থিত হয়েছিলেন ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

# Renaming of the Presidency General Hospital, Calcutta, as "Seth Sukhlal Karnani Memorial Hospital"

- \*31. 8j. BIMAL COMAR CHOSE: Will the Hon'ble Minister in charge of the Medical and Public Health Department be pleased to state—
  - (a) whether Government have any proposal for changing the existing name of the Presidency General Hospital;
  - (b) if so-
    - (i) to what name, and
  - (ii) for what reasons; and
  - (c) the general policy or principles by which Government are guided in agreeing to changing names of hospitals?

# MINISTER in charge of the MEDICAL and PUBLIC HEALTH DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (a) Yes.

- (b)(i) "Seth Sukhlal Karnani Memorial Hospital".
- (ii) The change of name has been decided upon in consideration of the donation of 17 lakhs given by Sri Indra Kumar Karnani.
- (c) There is no general policy for change of name of a hospital. But Government want to honour the name of a person who makes large contribution either in money or in any other way towards development of an institution.
- **Sj. BIMAL COMAR CHOSE:** Will the Hon'ble Chief Minister be pleased to state if there was any request from the donor for change of the name of the hospital?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Obviously so.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state if he is aware that there is a large volume of public opinion against the change of the name of the hospital?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am not aware of that.

- 8j. J. C. CUPTA: Will the Hon'ble Minister be pleased to consider the desirability of naming a block instead of changing the name of the Presidency General Hospital?
- The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, the name of the Presidency General Hospital has no reference to any individual. In fact, the name "Presidency General Hospital" is associated with certain impression which the people carried with regard to the hospital, particularly in the past, regarding its management. Therefore, Government thought that there was no harm in changing the name.
- **8j. DEBENDRA NATH SEN:** With reference to reply (c)—last but one line—where it has been said "who makes large contribution either in money or in any other way", will the Hon'ble Minister be pleased to state what this "any other way" means?
- The Hon'ble Dr. BIDHAN CHANDRA ROY: The Campbell Medical School was changed to Nilratan Sarkar Medical College because of the great contribution which the great doctor made to the development of medical knowledge and medical education in this province.
- 8j. CHARU CHANDRA BHANDARI: মাননীয় মন্ত্রীমহাপয় বলবেন কি যে এই লাতা ১৭ লক্ষ্টাকা দান করেছেন কিন্তু এই হালপাতালের যে assets আছে—lands, buildings, equipments, প্রভৃতিতে তার মূল্য কত হবে?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice—I have not calculated the assets.

- 8j. CHARU CHANDRA BHANDARI: তা কি করেক কোট টাকা হবে ? The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot say.
- 8j. ANNADA PROSAD CHOUDHURY: মাননীয় মন্ত্রীবহাণর কি অবগত আছেন যে কয়েক বংসর আগে এই Karnani ক্রাত Munition Board Case4 involved হয়েছিলেন কি না।
  - Mr. DEPUTY SPEAKER: That question does not arise.
- 8j. ANNADA PROSAD CHOUDHURY: His name is going to be honoured.

The Hon'ble Dr. BIDHAN CHANDRA ROY: He has made a contribution, that is all.

8j. ANNADA PROSAD CHOUDHURY: No, his son has made a contribution. Sukhlal Karnani's name is going to be honoured. Does the Hon'ble Minister know that this name which we are going to honour and perpetuate was involved in the Munitions Board case years ago?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have no definite information.

Shaikh MOHAMAD RAFIQUE: Will the Hon'ble Minister be pleased to state whether all these cases which were instituted by the Government of India?

The Hon'ble Dr. BIDHAN CHANDRA ROY: You mean the Karnani? My friend can give you better answer than 1 can give you to that.

Sj. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state whether the change in the name was due only to the fact that the donor agreed to donate seventeen lakks of rupees?

The Hon'ble Dr. BIDHAN CHANDRA ROY: It is given there in the reply. I do not understand the meaning of the question.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state whether Government agreed to change the name because of the only fact that the donor agreed to donate seventeen lakhs of rupees.

The Hon'ble Dr. BIDHAN CHANDRA ROY: It is there in the answer.

8j. BIMAL COMAR CHOSE: Sir, I want further clarification. Will the Hon'ble Chief Minister be pleased to state if he considers the desirability, if there he any occasion for changing the name of the hospital like that, of calling for tenders as to how much amount one might be willing to donate before changing the name in future?

The Hon'ble Dr. BIDHAN CHANDRA ROY: The name of the hospital is not on the auction market.

8]. ANNADA PROSAD CHOUDHURY: মাননীয় মন্ত্রীমহাশয় বিবেচন। করে পেখবেন কি যে স্থবাল কানানি যিনি তার নাম কুঝাত Munitions Board Caseএ কলভিত করেছেন, তিনি মাত্র ১৭ লক্ষ টাকা পেওয়ার জন্য ২।৩ কোটি টাকার মুলোর হাসপাতালটা তারই নানে নামাকরণ কর। কি উচিত হবে গ

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I do not know but Mr. Rafique had given the answer that the Munition Board cases about which my friend has repeated twice have been withdrawn by the Government of India. I have no knowledge but he evidently knows. Sir, the question is that the property is not transferred to them. We want to honour his name who contributes either by money or in any other way towards the development of medical education in our country, and I am glad that we still have donors in our country who are prepared to give for such noble purposes.

8j. ANNADA PROSAD CHOUDHURY: এটাই কি বর্তমান বাংলাদেশের সবকারের নীতি যে লোকের নাম perpetuate করা হবে, তার অতীত যাই থাক না কেন, সে যদি টাকা দেয় তাইলেই তাব নাম perpetuate করা হবে।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I repudiate the question. My friend over there has put the same question three times in spite of repudiation. Sir, I do not propose to answer that question.

8J. BIMAL COMAR CHOSE: Will the Hon'ble Minister be pleased to state if he considers the feasibility of changing the name of the hospital again, if any other donor contributes more?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I will call it Bimal Comar Ghose Hospital if he makes a contribution of Rs. 50 lakhs.

8j. BIMAL GOMAR CHOSE: May I make a submission, Sir? The statements to Starred Question No. 32 are very long ones and we have not yet been able to read them. I submit that this question be held over till tomorrow.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not mind.

Mr. DEPUTY SPEAKER: The question stands held over. Questions over.

#### Short-notice questions.

- 8]. JYOTI BASU: On a point of privilege, Sir. I gave notice of a short-notice question about ten or twelve days back, but the answer is not forthcoming. Do you think you can help us in the matter?
- Mr. DEPUTY SPEAKER: We have sent it to the Government. We have not yet received any reply from the Government.
- 8j. JYOTI BASU: Sir, I am asking you whether you are helpless or you can help us. That is the only thing, because the short-notice questions are meant to be answered immediately and 12 days have already gone by.
  - Mr. DEPUTY SPEAKER: I shall see to it.
- 8j. HEMANTA KUMAR BASU: Sir, I also sent a short-notice question on the 19th September, but no reply is forthcoming. Will you kindly help us in this matter?
  - Mr. DEPUTY SPEAKER: I shall enquire.

#### COVERNMENT BILLS.

# The West Bengal Appropriation (No. 3) Bill, 1951.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to introduce the West Bengal Appropriation (No. 3) Bill, 1951.

(The Secretary then read the short title of the Bill.)

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the West Bengal Appropriation (No. 3) Bill, 1951, be taken into consideration.

I do not think, Sir, that any words of mine are necessary to recommend this motion for the acceptance of the House. We have already discussed the points. There are certain items in the budget which are necessary for the proper department, and the items are set forth in the Bill itself. I move that consideration of the Bill be taken up.

8j. BIMAL COMAR CHOSE: Mr. Deputy Speaker, Sir, I should not have thought it would be necessary to speak on this Bill at this stage. But on going through the supplementary estimates I find, Sir, that if the Government had been a little more careful in preparing their estimates there would not have been any necessity of submitting this proposal to the House now. Moreover, Sir, there are certain items in the schedule to the Bill, which were in the supplementary estimates—certain items which require elucidation, and I am sorry to say that those explanations were not forthcoming during the discussion we had day before yesterday. All that we were treated to was mutually adulatory speeches in which one Minister congratulated another for the splendid manner in which the Government had mismanaged the food situation or the food problem in the country with the result that people are either under-fed, half-fed or on the verge of staryation and death.

Now, Sir, when I say that there would not have been any necessity of these estimates, I will give you certain illustrations. If you will refer to page 3 of the supplementary estimates where we have a demand for Rs. 2,55,000, the explanatory memorandum says: "It was, however, subsequently decided towards the close of the year that as the present road

had not been formally transferred to the Works and Buildings Department, no part of the charges incurred on this account was debitable to the Civil Works budget. It was then too late to make any provision for the purpose in the Forest budget for the current year." The position was that roads and bridges concerned belonged to the Forest Department. There was no reason for bringing the demand under Civil Works Department, because they still continued to be under the other head, so that if that was done then there would have been no necessity for bringing this item now. If you would also refer to page 9 there is expenditure in connection with administration of evacuee property. The Act was passed long before the budget last year. I do not understand why provision for that was not made in the original budget and why it should be necessary now to bring in under. a supplementary estimate. It is because of these reasons, Sir,-I will give you I or 2 instances—that the time of the House is wasted by the Government which we always want to save. It becomes necessary for us to point out the way in which the department works, and the time of this House and the money of the public are wasted in such fashion.

There is one other point which I should like to bring to your notice, i.e., about the inaccuracy of estimates. If the estimates were properly made then there would be no necessity of these supplementaries. As a matter of fact what has happened here is that the Government find that they have piaced the heads in such a manner that they cannot transfer from one head to another and therefore they have had to come to this House but if you would examine the way in which the estimates are prepared you will find that they do not conform to actualities at all. I would, Sir, refer you to certain observations that were made in the Audit Reports that were circulated to us the other day. In the 1947-48 Audit Report the Auditor-General says that the Budget Estimates provide for a total sum of rupees 18 crores 43.88 lakhs for various expenditures against which the actual expenditure was Rs. 13 crores 72.53 lakhs resulting in a saving of Rs. 4 crores 71 lakhs 35 thousand which is 25 per cent. of the total grant. You see, Sir, how much the Government were wrong in making their estimates-25 per cent. of the grants were saved. The high percentage of saving is mainly (the Auditor-General goes on to say) due to the fact that dislocation and uncertainties caused by Partition made a close budget almost impossible. Of course, you can say that in the first year the Government were in a difficult position because there was the Partition and they did not know how to make accurate estimates of receipts and expenditure but then let us take the year 1948-49 and see what the Auditor-General says. He says, "That the Budget Estimates for 1948-49 provide for a total sum of about Rs. 37 crores 38 lakhs for voted expenditure against which actual expenditure was Rs. 28 crores 81 lakhs causing a saving of Rs. 8 crores 57 lakhs that is 22.9 per cent. of the original grant". That is not the end of the matter. Then we had the supplementary estimates for an aggregate sum of Rs. 6 crores 32 lakhs and this increased the saving to Rs. 14 crores 89 lakhs which was 34 per cent. of the final grant. So it is clear that out of the expenditure for which the Government came to this House for sanction and which they got voted by this House they could spend only 66 per cent. of that amount. They might say that they have made a considerable saving for which the House should be very happy but as the Chief Minister knows better than I do that is not the essence of budgeting. The budget should he as far as possible close to the actual receipts and expenditure. There may be a small percentage of error say about 10 per cent. But the figures I have quoted show that the Government do not know or have very little idea of what they may actually require for expenditure and that from time to time they place lump figures to show—this they do when they originally come to this House for sanction of the Budget—that they have provided so

much expenditure for the nation-building departments, so much for education, so much for health and so much for all different services. But we find that at the end of the year they cannot spend all that and thus the nation-building services are not benefited to the full. All the same every year when the budget is brought before us we get a comparative statement of the amounts that the Government have provided under the different heads. Sir, that is not playing fair by this House or by the public. Sir, we expect that the Government should be more careful in their budget work and if they are more careful then I do not think that there will be so much necessity of coming to this House for additional demands. As a matter of fact they cannot spend the money that they originally had this House to vote upon. Now that is so far as the estimates are concerned.

There is another point on the same matter. I refer to page 6 where appears the grant-in-aid for the Indian Association for the Cultivation of Science. The Government knew they had to provide Rs. 3 lakhs. Rupees 2 lakhs 50 thousand was paid and Rs. 50 thousand could not be paid because the bills had not been presented to the Government. But the Government knew that that expenditure was to be met. Sir, Government should have included that in the original budget; there was no difficulty in doing that but they did not do that. It must have been overlooked by all concerned and now therefore it has become necessary to present a supplementary demand.

Sir, we are very glad to see that the Government have come with a supplementary demand of rupee one for starting a Penicillin factory in the State. That is no doubt a very laudable move but we should tike to know something more about this. I find that the Government have not yet told this House anything as to at what stage the scheme is at present and as to what has been done about it and as to whether the expenditure will be incurred only by this State or, it is being undertaken in collaboration with the World Health Organization and if in collaboration as to how much finance will have to be provided by our Government and when the Government expect that production will start and the product may be placed on the market. Sir, in answer to a question which I put to the Chief Minister during the last Session he said that the Government had under contemplation various schemes—one of them was this Penicillin another was an allied thing on the medical side I mean the D.D.T. I would like to know if the Government has done anything in regard to that scheme.

I have nothing more to add, Sir. I wish that the Government could give us some information on these points.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I am glad that my friend Mr. Bimal Comar Ghose is conscious of the fact that the time and money of the State is wasted. I wish the speeches from the Opposition benches had been more realistic and not visionary, as that would have saved the time and money of this State to a great extent. Sir, he is perfectly correct in saying that the budget estimates of every Government should be as realistic as possible. Sir, he has collected also the opinion of the Auditor-General with regard to the audit reports of 1947-48, 1948-49 and has wondered why there were so many discrepancies between the budget estimates and actual expenditure. With regard to 1947-48, the Auditor-General himself has explained. With regard to 1948-49, I may remind my friend over there that we were at that time budgeting on the assurance that the Government of India would give us a development grant and on the basis of that assurance we had budgeted but in the course of July or August that year we were told we could not expect the 4 crore that we had

expected from the Government of India and that we would get only Rs. 2 crore. In the subsequent year there will be no development grant from the Government of India. All these factors make every budget estimate a matter of speculation. Sir, with regard to certain items he has expressed his surprise as to why there were so many discrepancies between the estimates and actuals. Sir, the reason is: supposing we are going to have a building where we want to put in-let us say-a wireless apparatus set. Now building means acquisition of land, building means acquisition of materials for the building. For building a house, it means getting equipments and for all these we are dependent on factors over which this Government may not have any control although the arrangements are made for the supply of equipment as soon as the expenditure is sanctioned by the House. We were informed that due to various causes the equipments are not available. And therefore we feel that it would be better after the acquisition of land not to go on with the building because equipments are not forthcoming. Therefore all these inter-related matters come up for consideration by Government. My friend has wondered why the items are put under certain heads and he is surprised that it cannot be transferred from one head to another. Sir, we operate under certain financial rules prescribed by the Auditor-General. We are sometimes told that this particular item should be charged and that item should not be charged and that this item should be under a particular head; we are also told that we should open an account under a particular head in a particular manner. I can assure my friend, Mr. Bimal Comar Ghose, that I have often wondered why in dealing with budget such classification has been put in by the Auditor-General and have also asked the Auditor-General about that. But I have felt that perhaps they are a bigger financial authority than I am and that therefore I have got to accept their findings.

There is a curious statement made by my friend, Mr. Bimal Comar Ghose, and his friends that there has been congratulatory speeches of one Minister about the other as a result of which, he said, people are starving. How can a speech make a person or group of persons starve I do not know; but I had not to congratulate but to defend my Ministry against unjust, unwarranted and untrue attacks made when discussing a particular matter under supplementary estimates and when all things are brought in which, according to the Speaker, are absolutely irrelevant.

With regard to the two questions that he has asked, one is about the penicillin project, and he has wondered why a sum of Re. 1 has been put in. If he and his friends had talked less and given us an opportunity of explaining, we would have explained that the whole thing was there for discussion. The position is that the penicillin project at the stage when we are getting in touch with and almost completing an agreement with an American Company, is that we will supply the building and the land and they will supply the machinery and the matter has been sent up to the Government of India for final approval. As a result the building and the land will be purchased out of our own fund which we will transfer from other heads to this head. According to the financial and budget rules, in order to make it appear on the budget estimates we have put in a token grant of Re. 1.

With regard to D.D.T. our difficulty is with regard to the supply of certain raw materials for production of D.D.T. There are two about which we have not yet received the sanction of the Government of India for import or rather the manufacturers in England and America are not yet prepared to come to an agreement with regard to the supply of these materials.

With regard to the other items I do not think I need dilate upon them. They are more or less self-explanatory and if any member feels that he wants more information with regard to any item he is welcome to send me a note and I shall give the necessary answer.

The motion of the Hon'ble Dr. Bidhau Chandra Roy that the West Bengal Appropriation (No. 3) Bill, 1951, be taken into consideration, was then put and agreed to.

#### Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

#### Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

#### Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

#### Schedule.

The question that the Schedule do stand part of the Bill was then put and agreed to.

#### Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, 1 beg to move that the West Bengal Appropriation (No. 3) Bill, 1951, as settled in the Assembly, be passed.

. The motion was then put and areed to.

#### The Indian Registration (West Bengal Amendment) Bill, 1951.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to introduce the Indian Registration (West Bengal Amendment) Bill, 1951.

(The Secretary then read the short title of the Bill.)

Sir, I beg to move that the Indian Registration (West Bengal Amendment) Bill, 1951, be taken into consideration.

This is a Bill, Sir, intended to obviate certain difficulties in regard to the maintenance of records concerning the districts, mainly the border districts, such as, West Dinajpur, Jalpaiguri, Malda, Nadia, 24-Parganas that have been partly allotted to West Bengal and partly to East Bengal as a result of partition. Under section 51 of the Indian Registration Act certain books containing copies of original documents are maintained and under section 55 of the Act indexes thereof are kept. Due to partition naturally both, the States of East Bengal and West Bengal are entitled to certain records exclusively and copies of certain others. As a result difficulties, have arisen where all the records as a result of partition have fallen to some registration offices in East Bengal. In order to complete our record for the corresponding areas in West Bengal we have got to maintain copies of those documents from the other registration offices. With an end to facilitate that this House added an additional section 55A to the Indian 29

Registration Act of 1950 and under that enactment we were authorised to take photostatic copies of books and indexes of records of registration offices. It has, however, been found that the cost of taking photostatic copies would be prohibitive and it has not been possible to arrange to take micro-film copies. Therefore, with a view to obviate the difficulty it is proposed under this Bill to have powers to take handwritten copies from the documents originals of which have fallen to the lot of the Pakistan offices and to maintain those copies as records in our offices and vice versa, so that copies obtained by parties interested from such documents would be regarded as valid certified copies of documents for purposes of necessary transactions. That is all that this Bill aims at empowering the appropriate authorities to do.

I commend my motion to the acceptance of the House.

The motion of the Hon'ble Niharendu Dutt-Mazumdar that the Indian Registration (West Bengal Amendment) Bill, 1951; be taken into consideration, was then put and agreed to.

#### Clause 1

The question that clause 1 do stand part of the Bill was then put and agreed to.

#### Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

#### Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I beg to move that the Indian Registration (West Bengal Amendment) Bill, 1951, as settled in the Assembly, be passed.

The motion was then put and agreed to.

# The Calcutta Municipal Bill, 1951.

#### Clause 7.

Mr. DEPUTY SPEAKER: Calcutta Municipal Bill, clause 7.

Shaikh MOHAMAD RAFIQUE: Mr. Deputy Speaker, Sir, may I request you not to take this clause 7 because it deals with Schedule V of this Bill. I have got certain amendments with regard to Schedule V which deal with the different wards and the number of seats. If we make changes in Schedule V the result would be that the number in this clause would have to be changed. May I request you to take it up along with Schedule V when it comes up because if there is any such amendment in Schedule V and we agree to the number of 76, then I think the Government will be in difficulty and we will be in difficulty. So may I just request the Government through you, Sir, to take up clause 7 and clause 8 along with Schedule V of the Bill.

Mr. DEPUTY SPEAKER: Clause 7 may be taken up now. I feel if there is any amendment to clause 7—alteration in the number 76—then the number can be altered in the Schedule consequentially.

Shaikh MOHAMAD RAFIQUE: Taking that the House agrees to my amendment that the number should be 76 and the House agrees to Schedule V, I do not know where we stand. So I would just request you to take this clause 7 after we have dealt with Schedule V. Then the whole thing will be finalised. If the Government agree—I would adduce evidence for that—that the number of seats allotted in particular wards should be increased, then this amendment in clause 7 would have to be agreed to.

Mr. DEPUTY SPEAKER: I have no objection.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have no objection but Schedule V really follows clause 7. Therefore we might also make it a point that if this is altered, the Schedule may be altered accordingly. That can be done.

8j. HEMANTA KUMAR BASU: বাননীয় তেপুট স্পীকার মহোগয়, ঠিক এই রকষ Tramway Billua সময় Schedule (3) পাশ হয়ে গেল। সেই সমমে যে achedule ছিল সেইগুলিকেও পাশ হয়ে গিয়েছে বলে ধরে নেওয়া হয়, ফলে আমাদের পক্ষে সেই schedule সম্পর্কে কোন কথা বলবাত্র আরু স্থাবোগ পাওয়া গেল লা।

The Hon'ble Dr. BIDHAN CHANDRA ROY: My friend is wrong because the Schedule in Tramways Bill was merely a reproduction of an agreement and no agreement of this character, even if it is called a schedule, is liable to alteration. Here the Schedule follows the Bill and if you change the Bill the change in the Schedule necessarily follows.

Shaikh MOHAMAD RAFIQUE: I think the Leader of the House has agreed to my proposition because I will adduce argument in respect of Schedule V. There I will only have to move that the number be changed from 75 to 76. Therefore I will have to go into the boundaries of the different wards. So I would suggest that it would be better if it is taken up after Schedule V.

The Hon'ble Dr. BIDHAN CHANDRA ROY: If he wants to do it we have no objection.

Mr. DEPUTY SPEAKER: Clause 7 is held over.

Shaikh MOHAMAD RAFIQUE: Clauses 7 and 8 may be held over because they deal with the same thing.

Mr. DEPUTY SPEAKER: Clause 8 also held over.

Clause 9.

8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that the proviso to clause 9(2) be omitted.

The motion was then put and agreed to.

The question that clause 9, as amended, do stand part of the Bill was then put and agreed to.

Clause 10.

The question that clause 10 do stand part of the Bill was then put and regreed to.

Clause 11.

The question that clause 11 do stand part of the Bill was then put and agreed to.

#### Clause 12.

'Ih question that clause 12 do stand part of the Bill was then put and agreed to.

Ulause 13.

The question that clause 13 do stand part of the Bill was then put and agreed to.

#### Clause 14.

The question that clause 14 do stand part of the Bill was then put and agreed to.

#### Clause 15.

The question that clause 15 do stand part of the Bill was then put and agreed to.

#### Clause 16.

**8j. HEMANTA KUMAR BASU:** Sir, I beg to move that in clause 16(I)(a), line 2, for the word "four" the word "two" be substituted.

I also move that in clause 16(1)(a), line 3, for the word "five" the word "three" be substituted.

I beg to move that in clause 16(3)(b), in lines 2 and 3, after the word "rate-payers" the words "and/or persons whose names are in the Electoral Roll of the Corporation" be inserted.

আমার পুথনটা হচেছ যে চারটা wards নিয়ে যে borough তৈরী হবে বলা হয়েছে দেখানে আমার মতে দুটা ward নিয়ে borough তৈরী হোক এতে কাজের স্থবিধা হবে।

चांबात्र विजीत amendment दरहरू त्यवादन वहें। ward नित्र Borough Committee कन्नात्र कथा बरुद्राष्ट्र त्यवादन अरहे नित्र कन्ना दशके।

আৰ আৰার তৃতীয় amendment হচেচ তথু rate-payersই নয়, যাদের নাম Electoral Rolld ' থাকৰে তাদেরও এতে add করা হোক।

- **8j. SUSHIL KUMAR. BANERJEE:** Sir, I beg to move that in subclause (3)(b) of clause 16, in lines 2 and 3, after the word "rate-payers" the words "and persons registered on the electoral roll for the time being in force for any constituency," be inserted.
- 8]. BIMAL COMAR CHOSE: Sir, I have a submission to make. Whenever any member moves an amendment, will you kindly ask him to explain as to why the amendment is moved? There are certain amendments in respect of which we do not understand why the amendments are being moved. If the mover will kindly explain it will be of help to us.
- Mr. DEPUTY SPEAKER: I do not think any explanation is necessary. The mover may or may not explain.
- 8j. BIMAL COMAR GHOSE: I am only making a suggestion. It will be better if the mover does explain.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I oppose the amendments. Probably Mr. Hemanta Kumar Basu will realise that in the old Act we had what they called the District Committees which consisted of any number between 21 and 30, and these committees, although given certain powers, were not able to utilise those powers with regard to the tax-payers. So smaller committees are necessary. My honourable friend will notice that

we have suggested not more than five and not less than four. He has suggested not more than three and not less than two. That is to say, his unit is smaller than ours. It would be very costly to have a separate unit as we visualise it, because they will have to be given certain staff, etc., and the larger the number of the units there may be less efficiency.

Secondly, in each unit we have provided for three members from outside and therefore we felt that it would be better to have three members, and a small unit of five constituencies rather than a smaller number. Therefore I oppose it.

With regard to the amendment moved by Sj. S. K. Banerjee, I accept it because the amendment deals with the point which has been pointed out by Mr. Hemanta Kumar Basu in his own amendment. Only that amendment is not from the legislative point of view such that it would be possible to accept it, and therefore we altered the language, and that is all, namely, that the persons that are to be co-opted should be persons who would be on the electoral roll of the constituency for which they are co-opted. Therefore I accept the amendment of Mr. S. K. Banerjee and oppose the amendment of Mr. Hemanta Kumar Basu.

The motion of Sj. Hemanta Kumar Basu that in clause 16(1)(a), line 2, for the word "four" the word "two" be substituted, was then put and lost.

The motion of Sj. Hemanta Kumar Basu that in clause 16(1)(a), line 3, for the word "five" the word "three" be substituted, was then put and lost.

Mr. DEPUTY SPEAKER: Motion No. 23 of Sj. Hemanta Kumar Basu falls through. I shall now put Mr. S. K. Banerjee's motion to vote.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, if you are putting Mr. S. K. Banerjee's motion to vote, may I suggest one thing? I do not know how it has been typed like that. It should be "for the time being in force for any of the constituencies". That was the language, and not "for any constituency".

The motion of Sj. Susil Kumar Banerjee that in sub-clause (3)(b) of clause 16, in lines 2 and 3, after the word "rate-payers" the words "and persons registered on the electoral roll for the time being in force for any of the constituencies," be inserted, was then put and agreed to.

The question that clause 16, as amended, do stand part of the Bill, was then put and agreed to.

### Clause 17.

The question that clause 17 do stand part of the Bill, was then put and agreed to.

#### Clause 18.

The question that clause 18 do stand part of the Bill, was then put and agreed to.

#### Clause 19.

- **8j. DEBENDRA NATH SEN:** Sir, I beg to move that for clause 19(1) the following be substituted, namely:—
  - "(1) The Commissioner shall be appointed by the Corporation on the recommendations of the State Public Service Commission and upon such terms and conditions as the Corporation may determine and shall not be a member of the Corporation or an officer in the service of the Government."

- **SJ. CHARU CHANDRA BHANDARI:** Sir, I beg to move that for subclause (1) of clause 19 the following be substituted, namely:—
  - "(1) The Commissioner shall be appointed by the Corporation on the recommendation of the State Public Service Commission and upon such terms and conditions as the Corporation may determine and shall not be a member of the Corporation."
- 8j. JYOTI BASU: Sir, I beg to move that in clause 19(1), lines 1 to 5, for the words beginning with "State Government" and ending with "member of the Corporation" the words "Corporation on the recommendation of the State Public Service Commission upon such terms and conditions as the Corporation may determine and shall not be a member of the Corporation" be substituted.
- Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 19(1), lines 1 to 4, for the words beginning with "State Government" and ending with "State Government" the words "Corporation upon such terms and conditions as the Corporation" be substituted.
- **8j. BIMAL COMAR CHOSE:** Sir, I beg to move that in clause 19(1), lines 1 and 2, for the words "State Government" the word "Corporation" be substituted.
- Sir, I also move that in clause 19(1), line 4, for the words "State Government" the word "Corporation" be substituted.
- **Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 19(1), lines 4 and 5, the words "and shall not be a member of the Corporation", be omitted.
- 8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that the following proviso be added to clause 19(1), namely:—
  - "Provided that the person recommended to be appointed as Commissioner shall possess the requisite executive and administrative qualifications as prescribed by the Corporation."
- **8j. DEBENDRA NATH SEN:** Sir, I beg to move that for clause 19(2) the following be substituted, namely:—
  - "(2) The Commissioner shall hold office for a period of five years which may be renewed by the Corporation."
- 8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that for subclause (2) of clause 19, the following sub-clause be substituted, namely:—
  - "(2) Every Commissioner shall be appointed for a term of five years:
  - Provided that the Corporation may renew for once only the appointment of a Commissioner for a further term of five years, on the recommendation of the State Public Service Commission."
- 8j. BIMAL COMAR CHOSE: Sir, I beg to move that in clause 19(2), line 2, for the word "five" the word "ten" be substituted.
- Dr. SURESH CHANDRA BANERJI: Sir, on behalf of Sj. Kanai Lal De I beg to move that in clause 19(2), line 2, the words "which may be renewed by the State Government", be omitted.
- I also move that in clause 19(2), line 2, for the word "five" the word "four" be substituted.

8j. BIMAL COMAR GHOSE: Sir, I beg to move that in clause 19(2), line 2, for the words "may be renewed by the State Government" the words "will not be renewable" be substituted.

I also move that in clause 19(2), in line 2, after the words "renewed by" the words "the Corporation, subject to the approval of" be inserted.

- **Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 19(2), line 2, for the words "State Government" the word "Corporation" be substituted.
- 8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that in clause 19(2), line 2, for the words "State Government" the words "Corporation with the approval of the State Government" be substituted.

I also move that for sub-clause (3) of clause 19 the following be substituted, namely:—

- "(3) The Corporation may remove the Commissioner from office by a resolution passed at its special meeting called for the purpose, at which not less than two-thirds of the members are present and vote."
- 8j. DEBENDRA NATH SEN: Sir, I beg to move that for clause 19(3), the following be substituted, namely:—
  - "(3) The Corporation may at any time remove the Commissioner from office by a resolution passed at a special meeting of the Corporation called for the purpose at which at least two-thirds of the total number of members of the Corporation are present and vote for such removal."
- 8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that for subclause (3) of clause 19, the following sub-clause be substituted, namely:—
  - "(3) Notwithstanding anything contained in sub-section (2), the State Government may at any time remove the Commissioner from office and shall do so if at a special meeting of the Corporation called for the purpose, a resolution for the removal of the Commissioner, in favour of which more than one-half of the total number of members of the Corporation gives their votes, is carried."
- Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 19(3), lines 1-6, for the words beginning with "The State Government" and ending with "are present and vote" the words "Notwithstanding anything contained in sub-clause (2), the Corporation may at any time remove the Commissioner from office if at a special meeting of the Corporation called for the purpose, a resolution for the removal of the Commissioner, in favour of which more than one-half of the total number of members of the Corporation gives their votes, is passed" be substituted.

I also move that in clause 19(3), lines 1 and 2, for the words "State Government may at any time remove the Commissioner from office and shall do so" the words "Corporation shall remove the Commissioner" be substituted.

**3j. BIMAL COMAR CHOSE:** I beg to move that in clause 19(3), line 1, for the words "State Government" the word "Corporation" be substituted.

I beg to move that in clause 19(3), line 2, the words "and shall do so" be omitted.

**SI. GHARU CHANDRA BHANDARI:** Sir, I beg to move that in clause 19(3), lines 5 to 7, for the words beginning with "at least two-thirds" and ending with "removal of the Commissioner" the words "a resolution for the removal of the Commissioner is carried by a majority of the total number of the members of the Corporation" be substituted.

I also move that in clause 19(4), lines 2 and 3, the words "the State Government and of" be omitted.

8]. CHARU CHANDRA BHANDARI: बाननीय एउ नीकांव मरहापय, এই ১৯নং clause)। इत्रुष्ट कमिननारवव appointment এवः जननावन मन्नर्दा वित्नव এই जनारव धोरिक Government of Corporation अवना यात्र, जानात्र Constitution of Corporation अवना बात । এই प्रशास्त्र এই clausebi नवस्तरत शुस्तास्त्रनीत स्निन्छ । कात्रण, क्रियमास्त्रत appointment এवर তাঁর condition of service যে টাইপ of Government হবে তার উপর নির্ভির করে। আমি ইতিপর্বে বলেছি বে. এই বিল বারা Corporation একটা diarchy বা triarchy एहें করা হচেছ । এবনভাবে স্ষষ্ট করা হচেছ বাতে এর কোন unifying authority নাই। বে type of Government এই Corporation পুৰৰ্তন করা হচ্ছে তাকে Council Manager Plan বলা যার। এই Council Manager Pland Corporationds श्रवान कार्य। हरन policy-making ना legislation, धनः यिनि Manager याँदक धनात्न कमिननात वना शत्क ठाँत काक शद administration function করা, কিছ Corporation তাঁর ultimate authority হবে। যদি এই plan কার্যাকরী করতে হর ভাহৰে তাৰ পূথ্য কথা হচেছ Commissionerএৰ appointment এবং removal Corporationএৰ हार्ड बाका essential. किंद्र म: रवंत्र विषय और plan शहन क्लादिन Commissioner अत्र निरंतान छ অপসারণের ভার Government নিজের হাতে রেখে দিয়েছেন। তার কলে এর আকার সম্পূর্ণ পরিবর্তন হচেছ, কারণ, যদি Governmentus হাতে Commissionerus নিয়োগ ও অপসারণের ভার থাকে তবে Corporation একটা Government Departmentএ পরিণত হবে। আমাদের মধ্যমন্ত্রী মহাশর বলেছেন Commissionerএৰ ৰে ক্ৰডাই পাকক না কেন. Corporation will be the ultimate authority কিছ বিলটা সমগুভাবে আলোচনা করলে দেখা যায় যে, Commissionerকে control করবার কোন ক্ষমতা Corporation এর নাই। এখন ভাহলে ভিন্টা authority হচেছ এক হচেছ Corporation, বিতীয় হচেছ Commissioner আৰু তৃতীৰ হচেছ Standing Committees. পুৰৰে তাঁকে independent authority (कार (पनान शरत बना इरना subject to these provisions of this Act and of any rules, by-laws and regulations made thereunder the entire executive power for the purpose of carrying out the provisions of this Act shall vest in the Commissioner.

এই বিলের মধ্যে একটা provision আছে যে Commissioner একজন independent authority হবে। Commissioner যেখানে ক্ষয়তা দেওয়া হচেছ দেখানে বলা হচেছ the entire executive power shall vest in the Commissioner. কিন্তু একখা বলা হচেছ না the Commissioner shall exercise the executive power subject to the Control of the Corporation. আৰ্থাৎ একখা বলা হচেছ না যে তাঁর executive power Corporationএর নিরন্ধনাধীনে চল্বে। এবং Commissionerকে আলালা কোরে independent authority কোরে দেওরা হচেছ। সেখানে ভাহলে অবদ্যা কি হবে? স্বতরাং দেখা যাচেছ Corporationএর তাঁর উপর কোন control থাকবে না। Select Committee একটা নাত্র clause add কোরেছে; তা হচেছ যদি Corporation কোন বাথ করে ভাহলে Commissionerকে সে rule অনুসারে চলতে হবে। তারু এখানে নর, এই বিলের শুতি অধ্যারে তাঁর কমতা আলালাভাবে দেওয়া হচেছ। এখানে diarchy এমন ভাবে স্কট করা হচেছ বে দুইজন দুইভাবে চলবে না। তাঁর appointment, leave দেওয়ার ক্ষয়তা Corporationএর হাতে থাকছে না। এবং দৈনশিন কার্বেও Corporationএর ক্ষমতা থাকচেছ না। এই Commissioner স্চাটার করে আবাবেন আর চৌর সরর চলে বাবেন এই বালারে Commissionerক control করবে কে? দুটা parallel line চলবে। এ সংছে কোন unifying authority কিছু নেই। একবাত্র বা আছে,

ভাতে তাদের remove করতে, কিছ তাও চুড়ান্ত পরা গ্রহণ না করা পর্যন্ত নর । বলি সেই পরা Corporationএর করেতে চার তাহলে গাধারণভাবেও Commissionerকে remove করবার করতা Corporationএর করি। কারণ Select Committeece বা পরিবর্তন করা হরেছে—সেবানে Commissionerকে অপনারণ করা সন্দর্কের । আছে তার রারা অবছার বুঁব উনুতি হবে তাও নর। বনিও এর পূর্বে ছিল বে ০৪৪ করে। করিও এর পূর্বে ছিল বে ০৪৪ করি। করিও তাকে remove করা বাবে, কিছ সভালের বে সংব্যা তার ২০০ অন্তত: উপরিত বাবদা চাই,— এটা ঠিক কথা। কিছ তখন এমন হবে বে Commissionerকে বখন remove করবার পূশু উঠবে, তখন Corporationএর মধ্যে দলাদলি থাকবে এবং parties থাকবে। সেখানে এমন হওরা সন্তব বে, বার্যা তেকার বতক্ষণ পর্যন্ত বে পানারণের পক্ষে vote দিতে চাইবে না, তারা সেবিন সেখানে উপরিত থাকবে না। অতএব বতক্ষণ পর্যন্ত Commissionerত্বর অপনারণের পক্ষে, অন্তত: Corporationএর যে সভ্য সংখ্যা আছে তার ২০০ পক্ষে না থাকে ততক্ষণ পর্যন্ত Commissionerকে remove করা সন্তব হবে না। অতএব বা দেখা বাচেছ তাতে Commissionerকে control করবার power Corporationএর হাতে থাকবে না।

একটিয়াত্র, clause আছে যে কোন স্থানে Corporationএর কি ক্ষতা, Commissionerএর কি ক্ষতা, বা Standing Committeeর কি ক্ষতা, এই ক্ষতা সম্পর্কে যদি ক্ষনও ঝগড়া হয় তাহলে সেই ঝগড়া বীবাংশা করবার ক্ষয়তা গভর্গবেণ্ট নিজেই নিয়েছেন। Government তাঁলের appointment ক্ষবেন এবং তাঁদের terms of service গভর্গবেণ্টই ঠিক ক্ষরেন। আবার তাঁদের remove ক্ষতেও গভ্রবেণ্ট পারবেন। যদি এই পুশু উঠে betwen the Corporation and the Commissioner, যে কার কোন ক্ষমতা আছে, সেই বিচারের ভার কোন আদালতের উপরও দেওয়া হয়নি বা কোন judicial authorityর হাতেও নেই, সে বিচারের ভার নিয়েছেন State Government.

তারা একটা নুতন clause add করে দিয়েছেন, সেটা হচেছ clause ৫৯০(A) বেখানে বলা হয়েছে ৰে এমন কি বদি কোথাও গলেহও উপস্থিত হয়, তাহ'লেও সেখানে State যা আছে সে হচেছ এই "if any doubt arises as to the municipal authority to which any particular power, duty or function appertains, the Mayor shall refer the matter to the State Government and the decision of the State Government shall be final." এখন এই থেকে ব্ৰুন কি একটা form of dilema স্ষ্ট করা হয়েছে। এতে কি করে Corporationএর কাজ চলতে পারে, সব সময়েই Corporationএর মধ্যে একটা friction शाकरत। य जिनिष्ठे। avoid করবার জন্য নানা form of municipality আছে। তার মধ্যে একটা বড় সমস্যা হচেছ friction between the policy-making power and the executive authority. দুইটার মধ্যে friction কি করে বন্ধ করা যায় তাক ব্যবস্থা করা উচিত ছিল, কিন্তু তা না করে এই frictionকে আরও perpetual করা হরেছে। ইতিপূর্বেই clause (6) পাশ হরে গিরেছে শেখানে বলা হবেছে the Commissioner shall be a Municipal Authority. যদি Corporation এর হাতে এক বিশ্ও ক্ষতা রাবতে চাই, যদি কলিকাতা নগরের কল্যাণ করতে চাই, যদি এই বিলকে কার্য্যকরী করতে চাই, তাহলে Commissioner নিয়োগ ব্যাপারে Corporationএর হাতে সম্পূর্ণ ক্ষমতা দেওয়া উচিত। এই Commissionerকে নিরোগ Corporation করুন। অবশ্য এখানে একটা প্রশু উঠতে পারে, লোকের मत्न जानक। इरा शांत (य, Corporation निराम होण्डामण, वारक छातक निराम कहारन, छात्र भुक्छ গুণাগুণ না দেখেই এবং Corporationকে হয়ত একটা পাৰ্টীৰ হাতে বেতে পারে এবং সেই পাৰ্টীৰ interesta এমন লোককে নিয়োগ করতে পারেন যার কোন গুণ নেই। সেইজন্য আমার প্রভাবে আছে বে Corporation তাঁকে নিয়োগ করবেন কিছ যেটা করবেন on the recommendation of the State Public Service Commission এবং আমার এই প্রভাবে আছে তাঁর কি কি পুকৃত গুণ, efficiency থাকা দরকার-administrative and executive work সন্দৰ্ভে, এবং সেটা Corporationই টিক করবেন। যদি এইভাবে Commissioner নিযুক্ত হ'ন ভাহলে কডকটা power Corporationএর হাতে খালে। তাঁকে নিরোগ করবার পর ক্ষতা বেষন Corporationএর হাতে বাক্তে তেষনি তাকে remove-क्रवरात क्ष्मकार Corporation वह शास्त्र वाका नवकातः। व वनि ना क्या एव छारत Commission व्यक्त

একটা independent authority বেকে বাবে। Commissioner নিরোগের ব্যাপার বিদ গভর্গবেপ্টের হাতে থাকে তাহলে এই Bill কবনও কার্যাকরী হবে না। সেইজন্য আবার পুতাব হচেছ বে Corporation Commissionerকে নিরোগ করুন on the recommendation of the State Public Service Commission এবং Corporation তাঁকে remove করবেন by a majorty of the total number of members of the Corporation. এই হচেছ আবার পুতাব। এই পুতাব আপনাবের পুতাব করা উচিত। যদি এই পুতাব গ্রহণ না করেন তাহলে, আমি পুনরার বলছি, এই Corporationকে আপনারা একটা test departments পরিণত করবেন।

8]. DEBENDRA NATH SEN: Mr. Deputy Speaker, Sir, clause 19 is the pivot of the whole Calcutta Municipal Bill and it is very difficult to improve the whole Bill without amending this clause. Sir, we shall have to oppose the whole Bill clause by clause, but since it is the pivotal clause, I think we shall have to bring all the factors pertaining to this clause before the notice of this House. I feel really extremely sorry that the high abilities of our Chief Minister should have been utilised in the way they have been done in the preparation of this Bill and in presenting such a Bill before the citizens of Calcutta and before the people of West Bengal. There seems to be, as I have said on past occasions, a deep-seated conspiracy to convert the whole of the Calcutta Corporation into a department of this Government and for that purpose various other clauses have been introduced into this Bill and various other steps have been taken so that the Calcutta Corporation may be converted into a department of this Government.

Sir, in clause 23 the Bill wants to show to us that the municipal Government shall vest in the Calcutta Corporation. That is how it has begun in clause 23 but immediately after in clause 28 it says that the entire executive power shall vest in the Commissioner. I do not know what differentiation is made therein. If the municipal Government is vested in the Corporation, and if the whole executive power is vested in the Commissioner, how do you differentiate and distinguish between the two-the municipal Government and the executive power? I do not understand. I think it is because there is an underlying deep conspiracy that by introducing various clauses the Hon'ble Chief Minister has sought to conceal that conspiracy. Sir, it has been said that the Commissioner will be bound by the rules and regula-tions made by the Corporation. Is it really so? There is a clause which says that the Corporation cannot enter into the field which is protected by this Act for the Commissioner. That clause is clause 23. Then there is clause 24 where it is stated that rules and regulations or resolutions of the Corporation may be annulled by the State Government in exercise of its power under section 46. So if you have rules and regulations by which the Commissioner will be bound, there are also rules by which those rules and regulations may be annulled by the State Government under clause 46. So there are these things in the Bill which go to show that the democratic character of the Calcutta Corporation has been altogether taken away by this Bill.

Sir, one point I should like to make clear. We are not in favour of making the Chief Executive Officer or the Commissioner of the Corporation a pupper of the Councillors. We want the separation of the legislative function of the Calcutta Corporation from the administrative or executive function of the Corporation, and therefore we want to protect the Commissioner, the executive head, from the whims and vageries of the Corporation Councillors. On that point we are absolutely agreeable to some of the things which have been placed in this Bill, but we disagree here that for the purpose of separating the executive or the administrative function of the Calcutta Corporation, it is necessary that the Commissioner or the Chief

Executive Officer should be appointed by the Government. The Investigation Commission in consultation with the Chief Minister has said so in its report and that is for separating the administrative function of the Commissioner from the legislative function of the Calcutta Corporation. The Report says "No administrative authority will be given to the Council except the employment and the discharge of the City Manager". That is the recommendation of the Investigation Commission.

Sir, the Hon'ble Chief Minister told us that there are these provisions in Bombay and in Madras. I said in reply that in Bombay and in Madras the people there and the legislatures there are trying to change those provisions, and I do not think that Bengal should go on looking upon the provisions of Madras and Bombay and accept things abandoned by those Provinces. There are other clauses by which the powers of the Corporation have been taken away. There are other clauses also and I should like to draw your attention to the transitory provisions. If this Bill is passed, the next election takes place not on the basis of this Bill, but on the basis of the Calcutta Municipal Act of 1923 on the franchise contained in that Act, but the Commissioner will be appointed under this Act. So the evils of this clause will be amalgamated and a new thing will be placed before us—election takes place on the basis of the Calcutta Municipal Act of 1923, Councillors appointed on the basis of that limited franchise and what will be the nature of the Councillors? They will be elected on the basis of this limited franchise. I will give certain examples:

On the basis of the old limited franchise the number of electors in some of the wards was as follows:—

Ward No. 15-458 (that is the calculation of 1944).

Ward No. 17-327

Ward No. 18-356

Ward No. 30-818

r.e., only 3.4 per cent. of the total population of Calcutta came to be registered as electorates under the old franchise. This Bill has not shown, neither the Chief Minister has told us what will be the number of electorates for the various wards into which the Calcutta Corporation has been divided for the purpose of election. Our information goes that the registration of electors recently has not been very satisfactory. Even the figures which we have got from 1944 will not be maintained by the results that we have come to learn so far as recording of the electors in various parts is concerned. What will be the result? The result will be that because of this limited franchise, because of this small number of electors only certain rich people, certain people who know how to dance to the tune of the Government or the Chief Minister will be elected as Corporation Councillors, and as such people's voice will not be reflected, and those people who will come to the Corporation will not have the guts to frame any rules that will bind down the Commissioner and will prevent him from doing anything which will go against the interests of the citizens of Calcutta.

There is another clause, discussion of which has been postponed, where it has been stated that the Chairman of the Calcutta Improvement Trust will be a member of the Calcutta Corporation. Now there is another clause—clause 10—where it is stated that the Corporation can elect any one of its members to be Mayor and another member to be Deputy Mayor. So the Chairman of the Improvement Trust who becomes a member of the Calcutta Corporation may also be elected as Mayor or Deputy Mayor of the Calcutta Corporation. The picture will thus become complete. We have got a Commissioner appointed by the Government. We have also

got a Mayor or a Deputy Mayor who belongs to Government as Chairman of the Calcutta Improvement Trust and who will stealthily come to the Corporation as Mayor or Deputy Mayor. So the democratisation of the Calcutta Corporation has become absolutely complete!

Sir, I think the House should strongly oppose this Bill altogether and do it in the interest of the citizens of Calcutta.

Dr. SURESH CHANDRA BANERJI: बाननीय एउपुष्टि न्यीकांत्र प्रदापय, त्यपिन श्रुवान ৰহী ডা: রামের বন্ধতা শুনতে খানার মনে হমেছিল যেন একজন ইংরেজ Viceroy বা Governorএর ৰঞ্চতা শুনছি। যখনই আমরা স্বাধীনতার জন্য চেঁচামিচি করতাৰ তথনই তাঁরা বলতেন, "হে ভারতবাসী, স্বাধীনতা খৰ ভাল জিনিম, গণতম্বও খব ভাল জিনিম—এশব তোমাদের দেব, কিন্তু তোমরা হচচ শিশু, নাবালক, এখনই যদি এসৰ তোষাদের দি, তোমরা মারাখারি কাটাকাটি করে দেশের সর্বনাশ করবে। স্থতরাং তোমরা আগে এসৰ আনাদের কাছে শেব, শিবতে থাক, আমর। গতর্ণরদের পাঠাচিছ, I. C. S.দের পাঠাচিছ এদের কাছ থেকে শিবে নাও, তার পরে গণতক্তের যদি তোমর। উপযক্ত হও তথন ক্রমে ক্রমে তোমাদের হাতে ক্ষমতা দেব। শিশুর হাতে কোন অন্ত দিলে সে যেমন সর্বনাশ করে ভোমাদের হাতে গণতান্ত্রিক ক্ষমতা দিলে তোমরাও সেই রক্ষ সর্বনাশ করে বসবে।" ডাঃ রায়ও সেদিন বলেছিলেন—গণতত্ব খব ভাল জিনিদ—আমি বছদিন কর্পোরেশনের মেয়ক ভিলাৰ, আমি কর্পোরেশনের দলে সংশিষ্ট --আমি দেখেছি সেধানে মারামারি কাটাকাটি হয়, wrangling হয় কাজে কাজেই কলকাডার নাগরিকেরা, তাদের নির্বাচিত councillorরা কলকাতা কর্পোরেশন চালাতে পারবে না। এইজনা যত্তিক ক্ষমতা স্তরেঞ্জনাথ বল্পোপাধাায় মহাপয় আইনেব হার। কলকাতার নাগরিকদের, তথা তাদের Councillorদের দিয়েছিলেন সেটা আমাদের এই রাজ্য গভর্ণমেণ্ট ফিরিয়ে নিচেছন, ইংরেজর। যেমন বলত, ''আগে তোমর। ষান্দ হও তারপরে তোমাদের ক্ষমত। দেয়া যাবে," ঠিক সেই কথাই ডা: রায় সেদিন বলেছেন। অতএব ডা: রার, আর আমাদের দট্টিভুদির মধ্যে আকাশ পাতাল পার্থক্য বিদামান। এই প্সক্ষে একটা কথা আমার মনে পতছে যখন নাকি আমাদের বিদেশী প্রভার আমাদের ঐসব উপদেশবাণী শোনাতেন, তথন মহামান্য তিলক বলেছিলেন, জোর গলায়, "Swaraj is our birth-right -- স্বরাজ আমাদের জন্গত অধিকার।" আমর। তুল করতে পারি, বা ভালভাবেই manage কবতে পারি, বা খারাপভাবেই manage করতে পারি, সেটা আমরাই করব, গেখানে আমরা আর কারো dictate বা কর্ত্তত মানতে রাজী নই, তাতে কারো কিছ বলাব অধিকার নাই। এবং আমরা তা বরদান্তও করব না। এই যে কথা তিনি বলেছিলেন এটা অতি মল্যবান কথা।

गमक পृथियोत देखिहान यमि পড़ा यात्र जरब रमथा यारव, यात्रा democracy लाख करतरह खाता demooracy চালিয়ে চালিয়েই গণডাম্বিক হয়েছে। অন্যে উপরে বলে শাসন করবে, আব তারা গণতম্ব শিখবে—এ क्थरना दय ना। भारत गाँछात्र स्कटि एम्थारनरे कि यानुष गाँछात्र कांग्रा लाट्य, निरस्त्र व्याष्ट्राय ना ठछरन, यानुषरक হাঞ্জার বার যোডায় চড়তে দেখেও মানুম যোডায় চড়তে পারে না। মানুমের ঠিক এইভাবেই গণতান্ত্রিক শিক্ষা হয়। স্বামী বিশেকানল বলেছেন – ভল করে করেই মান্য শেখে। এই ভল করবাব অধিকার থেকে মান্যকে বঞ্চিত করলে তাকে মানুঘ হবার অধিকার থেকে বঞ্চিত করা হয় এইটাই হচেচ আদৎ কথা। কিছ ডা: রাম শে কথা বিশাস করেন না। তিনি বলতে চান ভোষরা যখন ভুল করেছ, ভোষাদের হাত থেকে Corporationটা নিয়ে নেব. এবং আমরাই শাসন করব। গভর্গমেণ্টের তরফ থেকে কোন I. C. S. Officer বা @ রকম পদের যে কোন officerকে পাঠাব। এই যে তাঁর নীতি এর সঞ্চে আমাদের নীতির আকাশ-পাতাল পার্থক্য। এখন, আমরা যখন স্বাধীনতা লাভ করেছি, স্বতরাং এখন আমরা adultও হতে পেরেছি। এখন, যদি আমাদের সৰপ্ৰ দেশের শাসন-ব্যবস্থাটা গণতাপ্তিক ভাবের হতে পারে, এবং সেটা আমরা চালাতে পারি তবে কলকাতা কর্পোরেশনের রতন একটা পুতিষ্ঠানতে গণতান্ত্রিক পদ্ধতিতে চালাতে কেন পারব না বঝতে পারি না। Adult franchised আমরা বিশাসী এবং adult franchisedর ভিত্তিতে যদি Corporationএর নির্বাচন হয় ভাহলে সেইভাবে নির্বাচিত Councilles বী কর্পোরেশন ভালভাবেই চালাতে পারবে এটা আমরা বিশাস করি! জন্যান্য দেশে বেশ্বকৰ আছে তাতে কোন autononous bodyর উপর গতর্পরেণ্ট কোন হন্তক্ষেপ করতে পারেন না, গভৰ্ণবেশ্ট ৰাত্ৰ supervise করতে পারেন, আৰৱাই তাকে এবানে দেইটক্ৰাত্ৰ ক্ষৰতা পভৰ্ণবেশ্টকে বেৰ, তার বেশী নর।

ভারণের Dr. Roy বলেছেন wrangling হব। তা হরত হব। কিছ আনার বন্ধনা হচেচ এই বে সেই অস্থাবিনা দূর করতে হবে। এবং সেই অস্থাবিনার কথা ভেবে--এবং ডাঃ নারের কথা ভেবে--আনি এখানে কডকগুলি amendment দিরেছি; সে amendment গুলি হচেচ একটু অবুত রক্বের; সে amendmentএর ভার হচেচ বেবন গভর্ণবেশ্টের ক্ষেত্রে majority party হারা গভর্পবেশ্টির কোর বেবন majority party Chief minister elect করে, Corporationএও ভেন্নি majoraty party Commissioner elect করে, এবং বিদি এই এবং ভিতর তার উপর যে power থাকবে সেটার misuse হয় ভাহেলে ভারাই জন্য Commissioner নিমুক্ত করবে। এইভাবের বিদি একটা ব্যবস্থা করা যার বিদিও ব্যবস্থাটা একটু অবুত ঠেক্ছে তবু ডাঃ রায়কে আনি এ সম্বন্ধ একটু ভাল করে ভেবে স্বেখকে বন্ধি। দূনিয়া যদি এইভাবে চলতে পারে, গভর্পবেশ্ট যদি এইভাবে চলতে পারে বিদি ভাসের কোন অস্থাবিধা না হয় ভাহলে কর্পোরেশনেট বা কেন সেটা চলবে না ?

আমি তাই আবার বল্ছি গড়ৰ্ণবেশ্টের এ বিষয়ে কোন হন্তক্ষেপ করা উচিত নয়। দেবেন সেন মহাশয় on the recommendation of the Public Service Commission আমি তা নাৰি নাই। Public Service Commissionএর recommendation ছাড়া Commissioner will not be appointed এইটে বিদি দেব। হয় ভাহতে এতে গড়ৰ্ণবেশ্টের অনেকধানি হাত থাকবে। আমি তাই এ পুঝাবে রাজি নই। স্থবেন বানজি সেই ক্ষতা দিয়েছিলেন বে Chief Executive Officer shall be appointed by the Commissioners subject to approval by the Government.

He should be a Commissioner appointed by the Corporation—what objection is there to that? What objection can there be to a Commissioner being a member of the Corporation, who will be elected by a majority of the Corporation? He will not depend on any particular Councillor but he will depend upon his party, generally the party which has the majority. But if statutory power is given to the principal officers it is very difficult to control them. The Councillors are children. They are unfit to rule. There is no possibility of having a democracy in the Corporation if he really believes in democracy and in swaraj with his long experience in the Corporation. We want to do this much of business, we want the Corporation to be run free from Government interference. The Corporation must be run on a democratic basis.

জতীতে যা হোত তা Dr. Roy উশ্লেখ করেছেন, আমি তাঁকে সেটা seriusly তেবে দেখতে বলি। আমি বলৃছি Corporationকে democracy দিতে হবে, কিছ Dr. Roy সেটা মানেননি। তার কথা হচেছ্ তাঁরাই Government চালাবেন এবং it will be a department of Government. Dr. Royর Corporation ব্যাপারে long experience আছে, এবং সেইজন্যই আমি তাঁকে আরো একটু তাল ক'রে তেবে দেখতে বলৃছি। আমি আবার বলৃছি আমরা Calcutta Corporationএ absolute democracy চাই। এই বিষয়ে তিনি যদি আমাদের সলে আলোচনা করতে চান তবে আমরা সানলে রাজী হব। আমরা কলিকাতা জনগণ্ণের বজল চাই; এবং Calcutta Corporation এমনতাবে গণতান্ত্রিক পথে পরিচালিত হোক যাতে Governmentএর interferenceএর কোন পরকার না হয়। Dr. Royকে অনুরোধ করছি আমার amendmentটা বেনে নিন্।

8j. JYOTI BASU: Mr. Deputy Speaker, it seems to me from the speeches that I have heard from the side of the Government as well as from this side, that our views are diametrically opposed to each other. I do not think it is really any use discussing these points in detail because, Sir, the Government when it brought forward this particular Bill had its own conception about local self-government, about democracy. These conceptions unfortunately are not the conceptions which we have of local self-government and of democracy. These are new conceptions to which we have not yet been used. Therefore, the Hon'ble the Chief Minister in his speech,

when he was trying to explain this particular aspect of the appointment of the Commissioner and about the powers of the Commissioner, made certain references to his experience and to the nature of the work of the Commissioner, as he sees it as far as the future is concerned. With regard to his experience I shall agree with him that in the past, specially in the recent past, the Corporation Councillors—at least most of them—did not understand the meaning of local self-government and therefore they misused the power which they had, and therefore the Chief Executive Officer of the Corporation had to depend for his job on the Corporation Councillors. But I had made out a point to which I got no answer, and that is that these Corporation Councillors—most of them or the majority of them—were members of the Congress and as such we do blame the Congress organisation as a whole for having elected or selected candidates to be elected as Councillors who were not good people, who did not understand local self-government, who did not carry out their duty, and the Chief Minister was one of them. He was at one time the head of the Calcutta Corporation. But, Sir, when we bring forward a new Bill and when we talk about the future, surely we mean to change the whole municipal affairs fundamentally; basic changes are sought to be made, and as such the Hon'ble Chief Minister should have thought that the new Councillors who were going to be elected, especially if they were elected on adult franchise which is our suggestion, then they would not misuse the powers which they will have. The Hon'ble Chief Minister has suggested that he knows many things of the Corporation, the ins and outs of the Corporation. He has given us an example that if we look at the agenda of the Corporation which they used to have in the old days we would find that there were 230 items on the agenda, endless discussion would go on and nothing would be the outcome of that discussion. So he suggested that the Corporation must be a working body, it must not be merely a talking show. I agree that it must be a working body. But, Sir, such arguments—are not they a reflection on the new Councillors who are going to be elected? Does it mean that the new Councillors will be given a job to talk as much as they like but not to act and to see that the officers in the Corporation carry out the resolution of the Corporation into effect. That means to say that the Corporation Councillors are told, we in the Government have not given you sufficient power under the Municipal Bill to do much harm to the Corporation if you are bad people; because we have separated the power in such a way that the Commissioner who will not depend on your sweet will for appointment, who will be appointed by the West Bengal Government, will do the job of the Corporation, it does not matter how much the Corporation Councillors waste their time in talking and deliberating. I think this is a serious reflection on the new members of the Corporation-the Councillors-who will be elected, because when we have suggested remedy we have suggested that we should send in good people through adult franchise. And, Sir, I have said earlier that after election if such people fail, then it is for the people to take recourse to any other measure but by merely appointing the Commissioner through the Government will not solve this problem because even the Hon'ble Chief Minister is taking it for granted that the Government at least is a good Government and the Corporation Councillors may be bad people, but the Government will be such a good Government that it will appoint the right man in the right place. If it had been true, if our experience for the last four years had been true with regard to the Government in this respect then I may have accepted those arguments, but unfortunately our experience has been quite the contrary, because the very people who are bringing forward this Bill, who are proposing clause 19 whereby the Government will appoint the Commissioner, these same people have been running the administration and we know how-I need not go into that now. They have appointed many officers, let alone the Chief Executive Officer. Many

officers they have appointed and we have seen how they functioned and how they worked. Therefore, Sir, I have not yet got an answer from the Government as to why if the Corporation Councillors appoint the Commissioner what will be the exact harm done to the Corporation and to the citizens of Calcutta. The Hon'ble Chief Minister's only argument was, as far as I could make out, apart from the argument which I have just now mentioned, that in Bombay and in Madras the Government appoint the Commissioner and he asked us for an answer as to why did they do it there. We do not refer in this respect to Bombay and Madras because there too I think the same kind of people, the same organisations have been running the Corporations of Bombay and Madras. We need not take our lessons from them.

- Mr. DEPUTY SPEAKER: Mr. Basu, I have just now received an amendment from Sj. J. C. Gupta. Let him move his amendment so that your speech may be curtailed if you agree with him. I can ask Sri J. C. Gupta to move his amendment and then I will allow you to speak.
- 8]. JYOTI BASU: I am very agreeable. I am also very keen on saving the time of the House. Let Mr. J. C. Gupta move his amendment.
- 8j. J. C. GUPTA: Mr. Deputy Speaker, Sir, I beg to move that for sub-clause (2) of clause 19 the following sub-clause be substituted, namely:—
  - "(2) Every Commissioner shall be appointed for a term of five years:

Provided that the Corporation may with the approval of the State Government renew for once only the appointment of a Commissioner for a further term of five yeas on the recommendation of the State Public Service Commission.

You know, Sir, that I have already given notice of and moved that the State Government shall remove a Commissioner if a resolution to that effect is passed by more than half the members of the Corporation. The criticism has been directed against the Commissioner being made an independent authority. The criticism has been that the Commissioner will not be subject to the control by the Corporation. The amendments that have been tabled by the Chief Whip with the modification that I have just now made will place it beyond any doubt that the Commissioner can be removed as soon as more than half the members of the Corporation move a resolution for his removal. You will remember, Sir, the original Bill proposed that he could be removed when a resolution was passed by three-fourths majority. The Select Committee then modified it and said that he should be removed by a vote of majority provided that two-thirds of the members are present. Now, the Government has accepted the amendment that there is no need for enforcing a three-fourths majority or even a two-thirds majority in a meeting, he can be removed by a vote of simple majority. There have been several amendments which have been given for renewal of the term of the Commissioner. It has been pointed out with some force that sometimes a Commissioner may be found very efficient and he may have in his hand some good work which he could not possibly finish in the course of five years. In such a case his appointment can be renewed only for another term but that should be on the recommendation of the Public Service Commission. The Corporation can renew the appointment of a Commissioner in case where the Corporation so desires and wants to appoint a Commissioner for another term; the only condition is that the Public Service Commission and the Government will also approve it. So we have conceded to some of the amendments that have been tabled from the other side.

Mr. DEPUTY SPEAKER: That-will do. If you like to speak you can speak afterwards. (Laughter from the Opposition.) Mr. Basu.

Sj. JYOTI BASU: I do not think that this amendment actually answers the points which have been raised by the Opposition. As I was saying, the Hon'ble Chief Minister except pointing to the examples of Bombay and Madras has not given us any basic argument as to what exact harm would have been done to the Corporation if the Commissioner was appointed not by the Government but by the Corporation itself. Therefore, I am sure that even now he will try to find out certain arguments because as vet it seems none of the Opposition members have understood why the Government is doing this except the argument which has also been made from the point of view of Opposition that the Government do not believe in the people and therefore they do not believe in the elected representatives of the people and therefore what they are wanting to do is to turn the Corporation into a department of the Government. But in 1951 it is rather difficult to do it by applying direct methods. Therefore indirectly it is being sought to be done, and the power of the Corporation is sought to be suppressed. As Dr. Roy himself put it, "the Corporation Councillors may go on talking. We shall give them the function of talking as much as they want". Therefore the powers of the Corporation, of the committees and of the Commissioner have been defined in such a way that the Commissioner really becomes supreme in certain matters as has also been pointed out by Mr. Charu Chandra Bhandari. I do not think that there is any answer to the argument of Mr. Charu Chandra Bhandari about the different functions of these three authorities.

Therefore, to sum up my arguments in proposing the amendment that I have moved, I would like to say that the amendment is very simple, that the Corporation should appoint the Commissioner, firstly because that is the principle of local self-government I do not want the Corporation to become a department of the Government. Secondly, I would ask the Government, even though in vain, to have faith in the people and not to depend only on their past experience, the past experience of the Congress party itself, because there are other parties, other groups, other people in the country outside the Congress, and if they are elected as Councillors 1 think they will respect the powers which they will have and do their duty by the people; and the executive authority of the Commissioner will not have to depend on canvassing for the votes of the Councillors or the groups inside the Corporation, because, Sir, we know that even now there is a oneparty Government. It is a one-party Government; it is the Congress party Government. Therefore, Sir, the Ministry also work not because they are efficient, not because they know their job, but because they have to satisfy certain factions, e.g., Khadi Group, etc. I do not know them all; there are so many groups and they have to satisfy all sorts of groups inside the Congress; they have a Muslim Minister, they have to satisfy the scheduled castes and all sorts of people. But the Government does not admit that because of that it is inefficient or that it is a bad Government. Therefore in the case of the Corporation why should they make these arguments I do not understand. Similarly, in the Corporation if the people elect their representatives they will see to it that they do their job. If they do not, the people will have the authority to drive out the Councillors who do not do their job. Merely by appointing somebody from outside you do not change the whole affair of the Corporation and you cannot do it. There is no other alternative to democratic rule, democratic procedure or rule of self-government.

Sir, my last argument is that the powers of the Commissioner should depend wholly on the Corporation. He will never have any power which the Corporation can not define or cannot control. He cannot have any power in parallel with the Corporation itself or with the committees of the Corporation. I think the powers of the Corporation should not only be

defined but they should be such that the Commissioner is really the servant of the Corporation and not the master of the Corporation as is being sought to be done through this particular clause 19.

With regard to the argument which the Government gives that the Corporation should be not merely a deliberative body but a body which acts, I agree. But if the powers are properly defined leaving the final authority to the Corporation, I think this can be done. For this there is no need to appoint somebody from outside at the top and make it into a body which acts and not merely a deliberative body. Those are the arguments for which we have suggested the amendments which are there, but as far as the State Public Service Commission is concerned or its recommendations are concerned I will not mind if the State Public Service Commission recommends a particular individual and the Corporation is the final authority to accept him or reject him. I do not mind the State Public Service Commission making its recommendation, but it should be merely a recommendation and not more than that.

With regard to the renewal of the term of office of the Commissioner, I think that also should be done by the Corporation but not subject to the approval of the State Government. The State Government should have nothing to do with the renewal of appointment of the Commissioner. That is all with regard to this particular clause and the amendments that we have suggested. I think, Sir, that the amendment which has been brought forward in the middle of my speech does not meet this basic point which we have referred to here again and again. I wish Mr. J. C. Gupta had given us a little more light, explained and told us as to why so much harm would be done if the Commissioner is appointed by the Corporation, because after all the Government can have certainly supervisory power over the Corporation. That also one can accept, but I cannot accept this position—right from the beginning it begins with this idea—that the Corporation Councillors would be bad people, they would be the same kind of people as had been ruling, and so you have to do something drastic; and since you cannot do it directly therefore you have to do it indirectly through the back-door. There are certain clauses which I shall point out later which show that Government is anxious to take over the Corporation and nothing else. Therefore we are fundamentally opposed to this clause, and we are fundamentally opposed to the whole of this Bill.

Sj. HEMANTA KUMAR BASU: নাননীয় শ্লীকার মহোদর, একটা ইংরাজীতে বিধ্যাত কথা আছে বে spare the rod and spoil the child. এই জিনিঘটা পড়ে তাই এখন আনার বনে হচেছ বে Corporation এ অতীতে বে সমন্ত পালী নোক ছিল তারাই সম আনার আসমেন। অতীতে বে সম বদ, পালী লোক ছিল, তারা অতি ধারাপভাবে Corporation ব নাম চালার; তাতে জনসাধারণ——

Shaikh MOHAMAD RAFIQUE: Mr. Deputy Speaker, Sir. he said that जांता चून रु, शाजी लांक हिल्लन। Is that parliamentary?

8j. HEMANTA KUMAR BASU: ও, আপনিও বুঝি Corporationএর Councillor ছিলেন ? কিছ আপনাদের ধরণ থেকেই সেই কথা বলহি, আপনাকে personally কিছু বলহি না।

Mr. DEPUTY SPEAKER: Mr. Basu, you may speak afterwards.

(The House was then adjourned for fifteen minutes.)

(After adjournment.)

Sj. HEMANTA KUMAR BASU: নাননীর স্বীকার, ন্যার, আনি বলতে চাই বে, এঁরা নিজেবের জনলাবারণের প্রকুলের কর্তা বলে করেন। এঁরা বলে করেন এঁবের হাড়া দেশে আর তান নোক নাই। এঁরা বলে করেন বে, এঁরা বে কাজই করবেন জনলাবারণ তাই সভইচিতে বেনে বেনে। এঁরা নিজেবের কর্বনও 30

আক্রসবালোচনার পৃষ্টিতে দেবেন না। কিছ জাঁরা নিজেদের বাই বনে করুন না কেন, কলবাতার জননাবারবেদর নাগরিক অধিকারে এইতাবে হস্তক্ষেপ করা কোন ক্রেই উচিত নর। আনার বিশান বে বানুবকে বতই বিশান করা বাবে ততই বানুক বিশানী ও গারিজ বহনের উপযুক্ত হবে। আনার প্রধান বক্তবা হচেছ বে Municipal Service Commission বদি করতেই হয় ভাষকে এমনভাবে গঠন করা উচিত বাতে Government ইচ্ছা করনেই বর্ধন তবন করের হস্তক্ষেপ করতে না পারেন। আনার বতে Commissioner এবং Corporationএর অন্যান্য কর্মচারীও Municipal Service Commission কর্ত্বক নিযুক্ত হওরা উচিত। অন্যান্য দেশে এমন নিয়ম আছে যে টাকা পরসা গোলবাল হলে Government জনমার্থের দিকে ভাকিরে হস্তক্ষেপ করতে পারে। সেই অন্য আমি বনে করি আগে বেভাবে হত্যে এবনও Commissionerবর appointment সেইভাবে হওরা উচিত। Adult franchise হলে ভাল লোক আসবে। আগে মুইনের অথিবাদী কতকণ্ডলি লোক জনসাবারণকে লোভ দেখিয়েও প্রভাবের ভাল লোক আসতে।। সেদিক থেকে আরার বনে হয় যদি adult franchise করা যার ভাহলে গতিভাবের ভাল লোক আসতে গারবেন। এবং Corporationএর শাসনকার্য্য সুর্ভভাবে পরিচালিত হবে। সেইজন্য আমি বনে করি Commissionerবর নিয়োগের ভার Governmentবর হাতে বা দিয়ে Corporationএর রাখা উচিত। Government শুরু বনে নেবে এবং approve করবে।

খাবৰা খানি খানাদের পূথান মন্ত্রী একাই দিনরাত্রি পরিপুন কোরে বাচেছন সে পরিপুনের কোন অর্থ নাই, কারণ, একজন পূইজন মন্ত্রী খতয়ভাবে কাজ করনেই শাসনকার্য্য ভালভাবে চলতে পারে না। Local bodiesএর উপর পুতি কাজে যদি হস্তক্ষেপ করা যায় তাহলে কোন good Government চলতে পারে না। সেদিকে দৃষ্টি দিরে খারি বলছি খাজকে দেশের জনসাধারণ তাদের civic rights সহছে আগের চেরে অনেক বেশী সচেতন হরেছে এবং ভারা এখন অনেক দারিছ বহন করতে সক্ষ। খাজকের দিনে কেউ অন্যায় করনে নাগরিকরা ক্ষমা করতে রাজী নয়। খানার দৃচ অভিনত হচেছ যে, খানেরিকা ও অন্যান্য দেশের constitutionএ যে ব্যবস্থা আছে, খাবাং recall করবার ব্যবস্থা যদি করা যেত তাহলে Corporationএর কার্য্য আরো ভালভাবে চলত। সেদিক খেকে আমি পুনান মন্ত্রীয় পৃষ্টি খাকর্ষণ করে বিশেষভাবে তাঁকে অনুরোধ করছি এই ব'লে যে, Government পক্ষ খেকে যাতে কম interference হয় সেদিকে দৃষ্টি রাখেন, কারণ এটা অতি সোজা কথা বে, রাখার উপর একটা superior body বনে খাকলে ভালভাবে কাজ করা যায় না। স্থগীয় স্যার স্করেক্ত নাথ ব্যানাজী বে municipal আইন তৈরী করেছিলেন, তিনি officerদের নিরোগের ব্যাপারে যে ব্যবস্থা করেছিলেন যদি তিনি তাই রাখেন তাহলে ভাল হয়। এই ব'লে আযার amendmentটা আনরন করছি এবং এই clauseএর বিরোধিতা করছি।

Janab MD. KHUDA BUKHSH: Mr. Deputy Speaker, Sir, section 19 of this Bill has come in for a lot of criticism. The Hon'ble the Leader of the House explained why it was necessary that the Commissioner should be appointed by Government after consultation with the State Public Service Commission. I had in my previous speech discussed this point and 1 did not think it necessary for me to intervene in this debate, had it not been for the fact that Sj. Jyoi Basu—I do not find him present now—that he raised his voice to mislead the country by telling them that the Government did not believe the people. He wanted to raise this point that if the Government believed the people, Government should also believe their elected representatives and that they would not anticipate actions of those representatives and condemn them in advance. I am afraid, Sir, the same should with greater force and greater validity be said of the Government that is to be. The Corporation of Calcutta will be elected on a sufficiently extended and wide franchise but the Government that is to be constituted after the general election would be on adult franchise basis. Therefore to condemn the Government that would be elected in advance would be quite as sinful and erroneous as to think that anybody should be condemned in advance. This Government is acting on past experience—this Government the leader of which was an Alderman, a Mayor and a Counsellor for a number of years ought to know exactly how the Corporation, the Standing Committees and its officers—the Chief Executive Officer and other principal officers—have been functioning. They are therefore trying to safeguard

for the Government that is going to be constituted after the election on adult tranchise basis in the matter of the administration of Corporation affairs. Sir, I agree with Sj. Basu when he says that trust begets trust and we have to trust our people and trust the Government. It is after all the people who elect the Government and to say that because the Government do not believe the people, so they are afraid of the people; that is an argument, Sir, which holds no water. This present Government will not be entrusted or charged with the implementation of this Act. It will be the next Government which will be elected on the basis of universal adult suffrage and to say that that thovernment is likely to interfere and impose control and threaten the corporation would be the most uncharitable way of condemning the future tooyernment in advance. That is no democracy, Sir.

said, this is a very debatable clause wherefrom two or three important questions arise. We say, why should the Commissioner be selected or be ultimately, appointed by the Government, even though on the recommendation of the Public Service Commission. Sir, the Chief Minister has stated that where is the trouble about that? Look at Bombay, look at Madras—they have the same system; if the working there has been satisfactory, why raise a hue and cry?

Now, Sir, I am afraid, the Chief Minister has not placed all the facts before us. It is true that in Madras and Bombay the Commissioner is appointed by the Government. But, Sir, it is interesting to observe that the Bombay Act was passed in 1888 and the Madras Act in 1919. These provisions are from those Acts. Sir, if you look at clause 6 which we have already passed and to which my friend Sj. Charu Chandra Bhandari had referred on one occasion and stated that we have three different categories of authorities here, you will find that the same thing exists in the Bombay and the Madras Acts where there are three authorities, namely, the Corporation, the Standing Committees and the Commissioner. Sir, what is also interesting is, that before we had the 1923 Act, we had many Municipal Acts which were repealed from time to time. But before the 1923 Act we had the Calcutta Municipal Act of 1899. Section 5 of that Act says: the Municipal authorities charged with the carrying of the provisions of the Act are—(a) the Corporation, (b) a General Committee of the Corporation, and (c) the Chairman of the Corporation. The Chairman of the Corporation is in the same position as the Commissioner. The Chairman of the Corporation then used to be appointed by the Government as is the case in Bombay and Madras. Thus the same procedure existed in Bengal. But then came Sir Surendra Nath Banerjee's Act in 1923. Not that he did not know of the Bombay or Madras Acts. He also knew of our 1899 Act and he also knew of the Bombay Act and of the Madras Act. But Sir, having known all this, he introduced certain changes which were incorporated in the Calcutta Municipal Act of 1923. You will find, Sir, that he embodied this clause 5 which set up three authorities and actually made certain changes in the appointment of the Commissioner. Sir, I may also read from the Report of the Corporation Investigation Commission at page 3. The Investigation Commission says, "There was a set-back under Act III of 1899, commonly known as the Mackenzie Act, under which the elective element as well as the proportion of elective representation was substantially reduced....." But, Sir, it was left to Sir Surendra Nath Banerjee by Act III of 1923 not only to increase the size of the Corporation and the number and proportion of elected Councillors but also to enlarge the powers of the Corporation making it the supreme authority in the administrative as well as in the legislative sphere. Sir, the point is that Sir Surendra Nath made a step forward. He thought that those provisions were not sufficient for an autonomous body. He knew that the Corporation's powers could be circumscribed, but he had taken a step forward. That is why, Sir, at the introduction stage I said that the Chief Minister was putting history in the reverse.

It has been said, "We have it in the Bombay Act, we have it in the Madras Act; so, why should we not have it in the Calcutta Act also?" I say, Sir, nothing of that. We had taken a definite step, we had taken a step that we shall not appoint the Commissioner in this fashion. Of course, the only argument the Chief Minister will probably advance now is: We had taken that step—it may be a progressive step, but by experience we found that we are not fit for progressive measures. Therefore, we must have retrogression now. I do not know if that would be his argument, but I say, Sir, that probably we have this Council Manager Plan taken from America. There the Manager is always appointed by the Municipality or the Corporation. If we are looking for examples, why must we look for examples where we get antiquated specimens and why should we not look for examples where things have progressed and where we are not in India of 1888 or 1919 but America of 1951? If I were to speak in terms of Professor Benoy Kumar Sarkar, I would probably say that India 1951 is America 1889. But why must we go so far back? That is my first point.

My second point is this: will it really improve matters—that is the question at issue. Now, here I think we are faced with a difficulty. When we say that Government have acquired all the powers and that Government through the Commissioner wish to exercise control over the Corporation, we are at once told, "No", that is not the real state of affairs—the Commissioner has to work under rules, regulations, and, I do not know, what else, framed by the Corporation. If that is so, if really the Commissioner is going to work under rules, regulations and everything framed by the Corporation, then what is the difficulty in investing the Corporation with the power of selecting its Chief Executive? This has been tried in other countries and it has also proved a success. As I said during the introduction stage, our Corporation during the last few years, before it was superseded, had really acted in a very inefficient and condemnable manner, but, Sir, was it because the Act was bad? Was it because the provisions that were set forth in the Act were not sufficient to mend matters? As I stated last time, even the State Government had sufficient powers, if they wanted to exercise them, to mend matters, but they did not. What, I am afraid, will happen now is that we shall have two sets of powers which may be working at cross-purposes. We have the Commissioner appointed by the Government—the terms of his appointment, the conditions of his service, will be decided by the Government and he will be removable by the Government. Naturally, Sir, under those circumstances, the Commissioner is likely to be biassed in favour of the Government because his whole position depends upon the Government, because the Bill says that the Commissioner may at any time be removed by the Government. Under those conditions, you can easily imagine that the Commissioner will always try to be subservient to the Government. But, at the same time, his position has been rendered even more difficult because we have a provision in the Bill that if a majority of the members of the Corporation move a vote of censure against him. Government will have to remove him. Now, what do we see? He will be under dual control. He will be subservient to the Government, but, at the same time, he will know that if a strong party is returned to the Corporation, then he may be removed by the Councillors. So, what is he going to do? Will he please the Government or will he please the Corporation? (Janab Md. Khuda Bukhsh: He will please neither. He will do his job.) I do not think it is good. He will have to please both. My friend has raised a very important issue. I say this that even under the present

Act the Executive Officer had certain powers—he was not helpless—but he could not exercise those powers because there were other factors and he had to please Councillors and the Government did not intervene. As I said last time, take the matter of elections. Why was the Chief Executive Officer made the officer-in-charge and thereby he came under the control of Councillors although the Government had full authority to devise any method of election that they liked. But, as I said, it is more likely, as you know, whenever there is divided responsibility, there must be inefficiency and incompetence in work. It is much better that he should be made answerable to one authority, rather than to two authorities. Therefore, Sir, I stated that it is much better that the Commissioner should be appointed by the Corporation and the appointment, as we have all agreed, would be on the recommendation of the Public Service Commission. Therefore, we have provided a safeguard there because the person will firstly have to be recommended by the State Public Service Commission and the State Public Service Commission is a body which is appointed by the Government and, therefore, it is to be presumed that it enjoys the confidence of the Government. Now, the question may be raised that it is not obligatory on the part of the Corporation to accept the recommendation of the Public Service Commission. Now, that is also the case with the Government, but although that may be the position in theory, in actual practice nobody would turn down the recommendation of the Public Service Commission because of the consequences—because even the Government here had turned down certain of the recommendations and they have had to face criticism. Further, even assuming that the Corporation turned down the recommendation of the Public Service Commission on some infrequent occasion, they would, on the Government's showing, not be wrong because the Government say that the Public Service Commission is sometimes incompetent and cannot recommend experts, but I do not share that view-I am sure that if a recommendation comes from the Public Service Commission, the Corporation would be in such a position that they would not be in a position to refuse or to turn down the recommendation of the Public Service Commission. Therefore, there is no chance that the Corporation will have their own way. So far as I am personally concerned, I am even prepared to go a step forward. Although I am not speaking on behalf of the other members of the Opposition, personally speaking, I should say that, if you like, the appointment should be made by the Corporation on the recommendation of the Public Service Commission and shall be subject to the approval of the Government but still we shall have the authority of the Corporation there. Now, even in the present Act, the appointment of the Chief Executive Officer is subject to the approval of the Government and we have that position. So, I say, what is the trouble, what is the difficulty in having a position where the Corporation will make the appointment on the recommendation of the Public Service Commission and will make it subject to the approval of Government. I should think that that should satisfy the Government, and as that is a very reasonable proposition, I feel that the Government would see their way to accept it.

Sir, the main point about the Corporation is this; that if we are going to have a better Corporation, if that is our intention, then unless we can have a system under which it would be possible to return a better type of candidates, I mean not in regard to qualifications, but under which the machinery for election will not be manipulated, unless we can provide some sort of a system like that, I am afraid that even the Commissioner will not be in a position to improve matters, because of one very simple reason. If we have one party which is returned in a majority—as it is quite possible that there will be a party returned in a majority—that party

can always throw out the Commissioner by simply passing a resolution which has a majority of more than half the members of the Corporation. If that is the position, then the Commissioner's position is not very secure. So that two things I said are necessary. Firstly that we should have adult franchise. That was one. Secondly that the system of election should be in the hands of an independent authority as was recommended by the Corporation Investigation Commission.

Sir, my friend Mr. Khuda Bukhsh said that if the Corporation is elected on a restricted franchise whereas the Government will be elected on adult franchise, then according to his reason, it is quite meet and proper that the Government should have some control over the Corporation. My first answer to that is that that is not our proposal. We want the Corporation to have adult franchise. It is not for you to say that because we are not providing that, therefore, we must accept what you say. That is not fair to us. We say that there should be adult franchise in the Corporation though you have not provided that. Then there is the question of principle that the Corporation is also an autonomous body and why should it be subject to the control of the Provincial Government except in certain matters which are everywhere agreed to and particularly when adequate financial assistance is provided by the local Government, but of which we see nothing in the present Bill? Sir, I will give you an example. This Government is elected on adult franchise. There have been various complaints against the Government, whether founded or unfounded I am not going to say that, but there have been various complaints that this Government have acted incompetently, that this Government have been corrupt, but would this Government accept the position that for that reason we should give some power to the Central Government to have control over the Provincial Government, because that is also elected on adult franchise and that the Chief Minister of the State should be appointed by the Central Government, so that the Provincial Government may not function in any such bad fashion? (A voice: That would be preposterous.) My honourable friend says that it would be preposterous. I agree that it would be preposterous. But just as you say, that with regard to the State the position is not comparable, I also say that there are different planes—there is the municipal plane, there is the local self-government plane there is the State plane, there is the Central plane, and these should be all autonomous bodies. As you know, the Central Government has certain powers over the State Governments. It can through the President take over the State Government. The Central Government have a power in the form of section 93; not that they have not got any power whatsoever, but I say that is not what is to be countenanced. That is to say on principle also we cannot say that the local government should be subject to the control of the State Government. It is not fair. Sir, I have examined this clause rather minutely and I suggest-I may say that I am as anxious as the Chief Minister is—that the affairs of the Corporation should be conducted properly. I hope the Chief Minister will still see the point of my argument that what is provided for is a sort of-as my friend Sj. Charu Chandra Bhandari has said-a form of diarchical system, diarchy in the sense that the Commissioner will be under the control both of the Government and the Corporation. It will not be fair to him. On principle also, as I said, Sir, it will not be fair to him. Therefore, I suggest that Government should accept the position which we have proposed in the amendment that the Commissioner should be appointed by the Corporation on the recommendation of the Public Service Commission. But if the Government is very anxious to retain some powers, I for myself would be agreeable to the appointment being made subject to the approval of the Government.

Janab ABDUL AZIZ ANSARI: Mr. Deputy Speaker, Sir, the Hon'ble Chief Minister when he was speaking in reply to the motion spoke at length. but I am afraid that no argument was advanced that would do away with the argument that the Bill, as it has been shaped so far as the appointment of the Commissioner is concerned, is retrograde in character. Sir, the framers of the Bill have been playing with democracy where unessential matters are concerned, for instance, we find in section 21—granting of leave to the Commissioner-I am only referring to that section to strengthen my argument-it is said that leave may be granted to the Commissioner by the State Government on the recommendation of the Corporation. These words have been introduced by the Select Committee. 1 ask, Sir, if in such a small matter as leave of the Commissioner, the Government give the Calcutta Corporation that right, that is leave cannot be granted and shall not be granted till the recommendation comes from the employers that is the Corporation, why in the principal matter of the employment of the Commissioner, this principle is not adhered to. How the Government will lose its control over the Corporation and its administration if on the recommendation of the Corporation the State Public Service Commission chooses the man and then he is appointed Commissioner? Sir, some of us who had had experience of how the recommendations of the State Public Service Commission are acted upon by the various Governments in the Provinces know that the order of merit laid down by the Public Service Commission in the appointment of persons is very often interfered with by the Government concerned for whatever reason it be-honest or dishonest. It happens that (1) by Service person recommended 88 No. the Public Commission is not given preference in the order of merit to No. 3. No. 3 is put first and No. 1 is put third. Anyhow the whole point of all the arguments of the Opposition and which I also support is that let there be a Commissioner, let the final appointment be subject to the final authority of the Government, but, Sir, if in this advanced age we are not merely playing with democracy, then local selfgovernment shall have no meaning if this Commissioner is imposed on the Corporation from outside. Why do the Government want to have that power in their hands? I question this simply because they want to strangle the Corporation by not allowing it to work as a self-governing body. Perhaps the argument would be—well, the Government want to appoint a person who would be under the thumb of the Government and who would clean the Corporation of its filth, if I may put it so, and make the administra-tino of this big city of Calcutta worthwhile. The point is that we have an Administrator now. The Administrator has been there for about two years. The Administrator has got all the poweres that the Commissioner is going to have under this proposed Bill and perhaps more. He is the chosen man of the steel-frame of the British regime, the I.C.S., who are still favoured by our popular Governments and what is the result? I ask the distinguished Chief Minister to tell us what is the result of this Administrator running. the Corporation not over two months not over six months but over a period of about two years. The same filth is there, the same dirt is there, the same unadministrative methods are there. So how could the Commissioner who will be appointed by this Government or any future Government make matters any the better. On this point I submit that merely because the appointing authority will be the Government, no improvement can take place in matters of administration as it has not taken place so far. Sir, perhaps it may be said that the mere appointment of the Commissioner by the Government does not interfere with the principle of local self-government. I submit, Sir, that it does. A private individual would not like his servant to be appointed by his neighbour. Why should the neighbour have a hand in the management of my house. On the ordinary principle if a

servant be appointed by another person he cannot be my servant, he canno be amenable to my orders and he may not be to my liking. Applying the same principle to the Corporation, the Commissioner appointed by the Government to administer the Corporation cannot be expected to do what the Corporation considers to be good for the city and the citizens of Calcutta. Therefore, Sir, one would like to know why is it that the Government, in spite of so much opposition to such appointment by the Government, are still adament on this point that this Commissioner shall not be appointed by the Corporation on the recommendation of the Public Service Commission but by the Government itself. I do not see any harm if the Government just yields to this popular demand. By all means let there be the Commissioner. Let the choosing authority be the State Public Service Commission but let it be on the recommendation of the Corporation and not on the recommendation of the Government. This, Sir, is a very small point which they can concede. Unless to the contrary the Government have some reasons behind which they have not yet disclosed to the House. With these few words, Sir, I would like to say that the clause as it stands should be amended and must be amended if the Government really wants to give the people a real measure of self-government. In support of their action mere quoting of the old Acts of Bombay and Madras would not do as those Acts were passed when the British Government was ruling this country and even if they had been passed recently there is no reason why we should blindly follow them if we can put things better otherwise; if we can try to approach the ideology we have been preaching. Because it is there in Bombay and Madras, therefore it should be in Bengal also is no argument. That is no reason, Sir, and therefore I would again appeal to the Hon'ble the Chief Minister that this is a very small concession that he can make, namely, that the appointment of the Commissioner should be through the Corporation and by the Corporation but the appointment should be through the State Public Service Commission so that we have a really good Administrator and not a third-class man.

The Hon'ble Dr. BIDHAN CHANDRA ROY: All the amendments that have been moved to clause 19 refer to four important propositions contained in the Bill under that section. First of all, let me say it is no use at this stage discussing, as some friends have discussed, the issue whether there should be the Commissioner or not the Commissioner, as that has already been accepted by the Assembly and therefore that question does not arise, and any discussion in that behalf is irrelevant. But the question is that if the Commissioner is to be there (1) Who should be the appointing authority; (2) Under what conditions will he be appointed; and (3) Will his appointment be renewable and if so who will do the renewal. Sir, I have heard the discussions on the same propositions not only today but the discussions on the same proposition which occurred sometime back. I am sorry to say that I am entirely unconvinced with the arguments of the Opposi-Sir, everything depends of course upon the experience of an individual. When my friends opposite appeal to me or speak to me as if I am the author of the Bill they do not show sufficient courtesy either to the members of the Select Committee or to the department that has drawn the draft of the Bill. Sir, it is perfectly true that I have taken interest in the present complexion of the Bill and I have done so, as I have said before, deliberately with a definite purpose. It has been suggested by my friend Mr. Khuda Bukhsh "Why can you not trust the Corporation?" The Corporation will be a better Corporation, let us hope, than the Corporation which existed before it was superseded. Therefore, if there is the good Corporation, if the Councillors are good Councillors, I am perfectly sure in my mind that they will under the rules and the provisions of the Act be able to control not only the one Commissioner, not merely the Standing

Committees but also all the affairs of the Corporation. My grievance is that I have felt that it is not possible to get the ministry of talents suddenly in the Corporation. Sir, the whole approach is fundamentally different as Mr. Jvoti Basu has said. I have heard talk about 1899, 1911, 1923, 1919 and so on because I referred to the Bombay and Madras Acts. I merely referred to them because people were talking about adult franchise in the Corporation. I point out that, in Bombay, in spite of there being adult franchise, the Commissioner is still appointed by the Government and no Corporation since the adult franchise had been introduced has yet approached the Government for making any changes and what is more, the Mayor there, as I said last time, assured me that the work of their Corporation with the Municipal Commissioner has been very smooth and very satisfactory. Sir, the position is very simple. The position is that our experience has been different and I am prepared to concede that different members may have different points of view according to the experience of each individual member on a particular issue and while I hold to my own view I also have the greatest respect for the view which does not coincide with mine. After all we have got to listen to the different points of view and I for one am aware that in this world there is not one view. It is not a drab one, there are different points of view. Sir, in this connection I may refer to one observation of Mr. Jyoti Basu when he said that this is a one-party Government and therefore he or they cannot trust this one-party Government to appoint the Commissioner. I do not know whether it was an admission that this so-called one-party Congress Government would remain in power even after the General Elections. That it would remain so is perhaps in his mind-I do not know whether he was really supporting the point of view of the Communist Group in the next election or supporting the Congress. Anyhow that is neither here nor there. Even if there is too much faith in the adult franchise system I confess that I have no very definite faith in simply changing the system and I do not agree that simply by changing the system of election or the electors there will be sudden change for the better. But it is perfectly true that the larger the electorate, as Mr. Hemanta Kumar Basu has said, the greater the chance of betterment coming in. Let us hope it would be so. But what I feel is that it is necessary—seeing what has been happening and having seen what had happened in the past—it is better, for some time to come, yet to have another experiment made, namely, that the Commissioner will be appointed by the Government after getting the opinion of the Public Service Commission. As I said before, there had been a lot of argument as if we are interfering with the autonomy of the Corporation. This expression of "autonomy of the Corporation" has different ideas in different minds. What is the autonomy that they are thinking of? If there is to be autonomy there should be autonomy in conducting the affairs of the Corporation to the satisfaction of the people. There is nothing like absolute autonomy in this world, nothing like absolute freedom, because if that was so, freedom would be a licence. The affairs of the Corporation have to be conducted in a manner that would serve the interests of the people. In that aspect we feel that it is better to give the Corporation an officer who would not always look to the members of the Corporation for his preferment and appointment. This is a point of view in which, I am afraid, we shall differ from the point of view of the opposition. In theory the opposition point of view may be perfectly correct. It may be necessary in future to change this clause and make the Commissioner appointed by the Corporation. The whole point is, while the Commissioner is appointed by the Government, throughout the period of his work in the Corporation he is subject to the rules and regulations made under the Act. And who makes the rules?—it is the Corporation. Who makes the regulations?—it

is also the Corporation. And who puts the Act into operation?—it is the Government which is formed after the general election on the basis of adult suffrage. Therefore if the Act or the rules and regulations framed by the Government under the Act passed by the Legislature and also the rules and regulations framed by the Corporation lay down certain directions under which the Commissioner should act, what difficulty is there, I for myself cannot understand. I have heard the word "diarchy" mentioned in this connection. We were in the old Council when we were fighting the diarchy, but that was an entirely different picture. Those who speak of diarchy do not understand the implication of diarchy. Therefore I say that it is not merely the rules and regulations that are binding on the Commissioner in the execution of the work that is entrusted to him but if there were no rules and regulations there would be no authority to stop him from doing the work that would be given to him. I have always found and it is true that under the present Act the Corporation used to delegate its power to the Chief Executive Officer. Often times I have found that the work of the Chief Executive Officer could not be effective for this reason that when he found that the Corporation members who were his employers were of a different mind, he used to tune his harp as they desired and would hold his soul in patience and he thought that the best thing was not to act at all. The result was that while the Corporation was giving directions and delegating powers to the Chief Executive Officer, knowing full well the difference of opinion in the Corporation the Chief Executive Officer saw in many matters that the best recourse for him was to remain inactive so as not to disturb either the one party or the other. But what was the result of that so far as the rate-payers were concerned? It is, therefore, necessary that if you appoint the Commissioner-whether it is the Corporation or the Government who appoint him-you must give him certain powers and hold him responsible for exercising those powers properly. If he does not do that according to the provisions of the Act and the rules and regulations thereunder, the Corporation can say, well, this man must go. And if the majority of the members in the Corporation says, he must go, he goes. Therefore it is not a question as to whether the appointment is made by the one or the other. It is first of all that the man must be one who would not look for his appointment to the vote or the canvassing of votes of Corporation members and that he must be tied down to certain duties and he must perform his duties. And if he does not do that he has to answer to the charge brought against him. That is the combined approach that we have made. As I have said, we do not feel that this is the last word in the development of the Corporation and all growing institutions in the world progress through experience even after committing mistakes. Therefore if we feel that there has been a step taken that was not in the interests of the rate-payers, Government think that there should be a change in the approach. Having got that point of view that Government must appoint the Commissioner in the first instance after getting the recommendation of the Public Service Commission, the rest follows. A question has been raised as to whether it is for five years or ten years, whether he should be a member of the Corporation or not-I think these are not very important issues at this stage. As a matter of fact when I read the amendments of the opposition members I found that the members of the Opposition were not quite sure as to what really each individual member thought about this question. For each one of the members of the Opposition approached the problem from the experience he possessed or from the approach that he made to this intricate problem. Sir, I do not say that this is the final wisdom of our corporate existence in the Corporation but I do feel that a change is necessary and therefore the suggestion made in the Bill and accepted by the Select Committee has been placed before the Legislature.

As regards the renewal of the appointment Mr. J. C. Gupta has given an amendment which indicates the point of view of the Government and here also the Government has accepted the point of view of the Opposition or rather seeing that this point of view of the Opposition is reasonable, we have tried to meet them. The position is that in the beginning the man is to be appointed by Government and after five years it is for the Corporation to have a renewal of his appointment but subject to the recommendation of the Public Service Commission and approval of Government. While the first appointment will be made by the Government, the renewal appointment will be made by the Corporation because the Corporation will then have an experience of the working of the Commissioner and if they are satisfied they have got to ask the Government and the Public Service Commission for a renewal but that should be for one term only. That is the one point which the Select Committee and the Party also felt very important, because it is not desirable that one man should have a vested interest in the Corporation for a large number of years. Therefore while one renewal has been suggested to be made by the Corporation on the recommendation of the Public Service Commission after approval of the Government, subsequent appointment would not be renewable for a further period of five

Sir, with these words I oppose all the amendments that have been moved except those moved by Mr. Sushil Kumar Banerji and Mr. J. C. Gupta.

The motion of Sj. Debendra Nath Sen that for clause 19(1) the following be substituted, namely:—

"(1) The Commissioner shall be appointed by the Corporation on the recommendation of the State Public Service Commission and upon such terms and conditions as the Corporation may determine and shall not be a member of the Corporation or an officer in the service of the Government.",

was then put and lost.

The motion of Sj. Charu Chandra Bhandari that for sub-clause (1) of clause 19 the following be substituted, namely:—

"(1) The Commissioner shall be appointed by the Corporation on the recommendation of the State Public Service Commission and upon such terms and conditions as the Corporation may determine and shall not be a member of the Corporation.",

was then put and lost.

The motion of Sj. Jyoti Basu that in clause 19(1), lines 1 to 5, for the words beginning with "State Government" and ending with "member of the Corporation" the words "Corporation on the recommendation of the State Public Service Commission upon such terms and conditions as the Corporation may determine and shall not be a member of the Corporation" be substituted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 19(1), lines 1 to 4, for the words beginning with "State Government" and ending with "State Government" the words "Corporation upon such terms and conditions as the Corporation" be substituted, was then put and a division taken with the following result:—

AYES-9

Bandyopadhyaya, Sj. Pramatha Math Banorji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra Chatterjee, Sj. Harjpada

Choudhury, Sj. Annada Presad. De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Sen, Sj. Debendra Nath

#### NOES-41.

Abduliah, Janab S. M.
Abduls Shekur, Janab
Banerjee, S.J. Sushii Kumar
Barman, The Hon'ble Syama Prasad.
Bhattaoharyya, S.J. Shyamapada.
Chakravarty, S.J. Satish Chandra.
Chakravarty, S.J. Satish Chandra.
Chaudhuri, The Hon'ble Rai Harendra
Nath.
Das Gupta, S.J. Khagendra Nath.
Dass, S.J. Kanalial
Delui, S.J. Harendra Nath
Dutta-Mazumdar, The Hon'ble Niharendu.
Gayen, S.J. Arabinda.
Gomes, Mr. D.
Gupta, S.J. C.
Haldar, S.J. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid
Khuda Bukhah, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab
Malti, The Hon'ble Nikunja Behari

Majhi, Sj. Nishapati
Majumdar, The Hon'ble Shupati
Mai, Sj. Iswar Chandra
Mandai, Sj. Arnadaprasad
Mandai, Sj. Bankubehari
Mandai, Sj. Krishna Prasad.
Mandai, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hossain, Dr.
Mudassir Hossain, Janab
Murarka, Sj. Basantiai
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pramanik, Sj. Rajani Kanta
Rafuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Sen, The Hon'ble Prafulia Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Zaman, Janab A. M. A.

The Ayes being 9 and the Noes 41, the motion was lost.

The motion of Sj. Bimal Comar Ghose that in clause 19(1), lines 1 and 2, for the words "State Government" the word "Corporation" be substituted, was then put and lost.

The motion of Sj. Bimal Comar Ghose that in clause 19(1), line 4, for the words "State Government" the word "Corporation" be substituted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 19(1), lines 4 and 5, the words "And shall not be a member of the Corporation" be omitted, was then put and a division taken with the following result:—

#### AYES-8.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Sen, Sj. Debendra Nath

#### NOE8-41.

Abduliah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattaoharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanalial
Dolul, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Gayen, Sj. Arabinda
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem All Mirza, Janab Shahibzada
Kawan Jah Salyid
Khuda Bukhsh, Janab Md.
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab
Malti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati

Majumdar, The Hon'ble Bhupati Mai, Sj. iswar Chandra Mandal, Sj. Annadaprasad Mandal, Sj. Bankubehari Mandal, Sj. Krishna Prasad Mandal, Sj. Krishna Prasad Mandal, Sj. Sowrindra Mohan Misra, Sj. Sowrindra Mohan Mohammad Hossain, Dr. Mudassir Hossain, Janab Murarka, Sj. Basantial Naskar, The Hon'ble Hem Chandra Panja, The Hon'ble Jadabendra Nath Poddar, Sj. Anandiial Pramanik, Sj. Rajani Kanta Rafuddin Ahmed, The Hon'ble Dr. Roy, The Hon'ble Dr. Bidhan Chandra. Rey, Sj. Jajneswar Sen, The Hon'ble Prafulia Chandra Shamsul Hug, Janab Sinha, The Hon'ble Bimal Chandra Zaman, Janab A. M. A.

The Ayes being 8 and the Noes 41, the motion was lost.

The motion of Sj. Charu Chandra Bhandari that the following proviso be added to clause 19(I), namely:—

"Provided that the person recommended to be appointed as Commissioner shall possess the requisite executive and administrative qualifications as prescribed by the Corporation",

was then put and a division taken with the following result:-

#### AYES-S.

Bandyepadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra

Chatterjee, Sj. Harlpada Choudhury, Sj. Ananda Procad De, Sj. Kanai Lai Sen, Sj. Debendra Nath

#### NOE8-40.

Abdus Shokur, Janab
Banerjee, Sj. Sushii Kumar
Barman, The Hon'ble Syama. Prasad
Bhattaoharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Oas Gupta, Sj. Khagendra Nath
Dass, Sj. Kanailai
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Gayen, Sj. Arabinda
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Maiti, The Hon'ble Nikunja Behari
Maiti, The Hon'ble Nikunja Behari

Majumdar, The Hon'ble Bhupati
Mai, 3]. Iswar Chandra
Mandai, 3]. Annadaprasad
Mandai, 3]. Annadaprasad
Mandai, 3]. Krishna Prasad
Mandai, 3]. Wesh Chandra
Misra, 3]. Sowrindra Mohan
Mohammad Hossain, Dr.
Mudaseir Hossain, Janab
Murarka, 8]. Basantiai
Naskar, The Hon'ble Jadabendra Nath
Poddar, 8]. Anandilai.
Pramanik, 3]. Rajani Kanta
Rañuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, 3]. Jajneswar
Sen, The Hon'ble Prafuila Chandra
Shamsui Huq, Janab
Sinha, The Hon'ble Bimai Chandra
Shamsui Huq, Janab

The Aves being 8, the Noes 40, the motion was lost.

The motion of Sj. Debendra Nath Sen that for clause 19(2), the following be substituted, namely:—

"(2) The Commissioner shall hold office for a period of five years which may be renewed by the Corporation",

was then put and lost.

The motion of Sj. J. C. Gupta that for sub-clause (2) of clause 19, the following sub-clause be substituted, namely:—

"(2) Every Commissioner shall be appointed for a term of five years:

Provided that the Corporation may, with the approval of the
State Government, renew for once only the appointment of a
Commissioner for a further term of five years, on the recommendation of the State Public Service Commission",

was then put and agreed to.

The motion No. 34A of Sj. Susil Kumar Banerjee falls through.

The motion of Sj. Bimal Comar Ghose that in clause 19(2), line 2, for the word "five" the word "ten" be substituted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 19(2), line 2, for the word "five" the word "four" be substituted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 19(2), line 2, the words "which may be renewed by the State Government", be omitted, was then put and lost.

The motion of Sj. Bimal Comar Ghose that in clause 19(2), line 2, for the words "may be renewed by the State Government" the words "will not be renewable" be substituted, was then put and lost.

The motion of Sj. Bimal Comar Ghose that in clause 19(2), in line 2, after the words "renewed by" the words "the Corporation, subject to the approval of", be inserted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 19(2), line 2 for the word "State Government" the word "Corporation" be substituted, was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in clause 19(2), line 2, for the words "State Government" the words "Corporation with the approval of the State Government" be substituted, was then put and lost.

The motion of Sj. Charu Chandra Bhandari that for sub-clause (3) of clause 19 the following be substituted, namely:—

"(3) The Corporation may remove the Commissioner from office by a resolution passed at its special meeting called for the purpose, at which not less than two-thirds of the members are present and vote.", was then put and lost.

The motion of Sj. Debendra Nath Sen that for clause 19(3) the following be substituted, namely:—

"(3) The Corporation may at any time remove the Commissioner from office by a resolution passed at a special meeting of the Corporation called for the purpose at which at least two-thirds of the total number of members of the Corporation are present and vote for such removal.". was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that for sub-clause (3) of clause 19, the following sub-clause be substituted, namely:—

"(3) Notwithstanding anything contained in sub-section (2), the State Government may at any time remove the Commissioner from office and shall do so if at a special meeting of the Corporation called for the purpose, a resolution for the removal of the Commissioner, in favour of which more than one-half of the total number of members of the Corporation gives their votes, is carried.", was then put and agreed to.

The motion Nos. 42B and 43 of Dr. Suresh Chandra Banerji fall through.

The motions Nos. 44 and 46 of Sj. Bimal Comar Ghose fall through.

The motion No. 48 of Sj. Charu Chandra Bhandari fall through.

The motion of Sj. Charu Chandra Bhandari that in clause 19(4), lines 2 and 3, the words "the State Government and of" be omitted, was then put and lost.

The question that clause 19, as amended, do stend part of the Bill, was then put and a division taken with the following result:—

# AYE8-41.

Abdullah, Janab S. M.
Abdus Shekur, Janab
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanailai
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Gayen, Sj. Arabinda
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khida Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati

Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mandal, Sj. Annadaprasad.
Mandal, Sj. Krishna Prasad
Mandal, Sj. Krishna Prasad
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hossain, Dr.
Mudassir Hossain, Janab
Murarka, Sj. Basantalai
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jedabendra Nath
Poddar, Sj. Anandilal
Pramenik, Sj. Rajani Kanta
Rafuddin Ahmed, The Hon'ble Dr.
Roy, The Hen'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Zaman, Janab A. M. A.

#### NOE8-7.

Bandyopadhyay, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar. Bhandari, Sj. Charu Chandra Chatterjee, Sj. Haripada De, Sj. Kanai Lai Sen, Sj. Debendra Nath

The Ayes being 41 and the Noes 7, the motion was carried.

#### Adjournment.

The House was then adjourned at 7-25 p.m. till 3 p.m. on Thursday, the 4th October, 1951, at the Assembly House, Calcutta.

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# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 4th October, 1951, at 3 p.m.

#### Present:

Mr. Deputy Speaker (Sj. Ashutosh Mallick) in the Chair, 12 Hon'ble Ministers and 63 Members.

# STARRED OUESTIONS

(to which oral answers were given)

# Nation-building activities of Government

- \*32. Sj. ANNADAPRASAD MANDAL: Will the Hon'ble Minister in charge of the Home (Development) Department be pleased to state—
  - (a) whether Government have undertaken any nation-building werks and activities such as grow more food schemes, production of khadi, advancement of village industries, production of more milk, construction of roads, opening of health centres and removal of illiteracy since August 15, 1950;
  - (b) if so, what are they;
  - (c) whether any progress has been made in these directions;
  - (d) if so, the amount of progress made; and
  - (e) what part the Government have taken or are going to take to establish Co-operative Commonwealth in India?

# MINISTER-in-charge of the HOME (DEVELOPMENT) DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (a) and (c) Yes.

- (b) and (d) Vide statements laid on the Table.
- (i) As regards construction of roads, the Budget Speech delivered by the Hon'ble Minister in charge of the Works and Buildings Department during the last session of the Assembly and also the brochure entitled "A Résumé of Road activities of the Works and Buildings Department during 1950-51", which was circulated amongst the honourable members of this House at that time, may kindly be referred to.
- (ii) As regards removal of illiteracy, attention of the honourable member is invited to pages 11 to 14 of the printed statement showing the progress of Development Schemes, which was circulated along with the budget papers in February, 1951.
  - (e) Does not concern State Governments.

Statements referred to in reply to clauses (b) and (d) of starred question No. 32

ACHESGE DENEETTED AND ADDITIONAL PRODUCTION (IN TONS) ACHIEVED ON ACCOUNT OF GROW MORE FOOD SCHEMES IN 1948-49, 1949-50 AND 1950-51 (ESTIMATED FOR WORKS COMPLETED UP TO NOVEMBER, 1950)

															•
	J yield.	Rabi.	12,998	765	7,000	26.897	108	3	. 08 08	180'80	ds. (up to	January, 1951)	B.	ni.	•
1950-51.	Additional yield.	Khariff.	36,454	1,261		5,492	2.500	1.300	84 864	100/10	4,349 m	B.	1,400 lb	8,000 lbs.	
	Area	nememen.	115,251 *232,875	4,051 *3,320		102,544	51,452	28,500	537,993		3,173				
•	Additional yield.	Rabi.	47,000	1,500		15,000	6,900	5,600	75,000		ıds.		ž,	. z	
1949-50.	Addition	Khariff.	22,357	006		9,200	909	200	33,557		2,000 mds.		25,000	10,000 lbs.	
l	Area benefited.		232,875	3,320		129,455	33,070	29,000	427,720		200				
ſ	Additional yield.	Rabi.	1,200	:	-	13,400	820	2,000	17,420		ıds.	ç	8.	, ,	•
1948-49.	Addition	Khariff.	10,043	10		20,911	170	:	31,134		3,092 mds.	669 11	3,320 lbs.	560 lb	
l	Area benefited.		49,964	8		291,895	7,090	4,500	353,469		79				
			:	of		and ferti-	:	:			:	,	::	:	•
		I. Permanent.	(a) Irrigation	(b) Reclamation waste land.	Recurring—	92	(b) Seeds	Miscellaneous		Fisheries—	Fresh fish	Shark oil	Fish meal	Frocessed fish	
		<b>-</b>			Ħ.			H.		Fish	£	Sh	Ē	C C	

\*On account of the schemes completed during the previous year.

# GROW MORE FOOD SCHEMES

# Promotion of Gur Industry

The scheme has been drawn up with an eye to the wider expansion of the Palm Gur Industry in all the 11 palm-bearing districts of the Province, in furtherance of the "Grow More Food" campaign in the country.

Progress so far made (up to February, 1951) is as follows:-

	1948-49.	1949-50.	1950-51.
Centres opened	12	19	38
Persons trained	120	180	185
Trees tapped during training	604	2,219	2,893
Gur produced during training	216 mds.	·419½ mds.	$^{\circ}566\frac{1}{2}$ mds.
Sugar and candy produced	9 mds.	5 mds.	Not yet available.
Existing gur makers trained	Nil	150	Ditto.

# PROMOTION OF KHADI INDUSTRY

The scheme aims at helping the existing khadi organisations with cotton and other materials and for starting centres in 12 unions of different districts. The scheme is being worked out through an autonomous Khadi Board to whom grants are made according to requirements.

Progress so far made (up to January, 1951)—

Centres opened	• •	• •	• •	18
Villages covered	• •	••	••	678
Persons trained in both	carding	and spinning	• •	12,772
Charkas introduced	• •	• •	••	9,375
Taklis introduced	• •	••		5,934
Yarn produced	••	••	• •	4801 mds.

# Valued Rs.1,44,075.

Cloth produced and consumed by the spinners ... 101,071 sq. yds. Valued Rs.1,51,606.

The following grants have been made to the Board so far:-

				Rs.
1947-48	••	• •	••	35,000
19 <b>48-4</b> 9	••	• •	••	2,00,000
1949-50	• •	••		60,000
1950-51	••			1,50,000

#### VILLAGE INDUSTRIES

# Promotion of Hand-made Paper Industry

The scheme is intended to revive the cottage industry and expand it by production and supply of the required type of pulp which ensure better finish and calendering so as to stand foreign competition. Introduction of improved mechanical labour saving appliances is also intended.

Progress so far made (up to 28th February, 1951).

One unit of labour saving machine for production of high class pulp installed in Calcutta.

Centres organised	• •	••	• •	3	
Persons trained in im	proved me	thods		46	
Total production dur	ing trainin	g—papers		239	reams.
Envelopes	••	• •		12,150	
Pulps				1.636	lbs.

# Scheme for Silk Reelers' Co-operative

The scheme aims at organising silk rearers, reelers and weavers on a co-operative basis and marketing of their products. This scheme has been in operation since 1948 and the progress so far made is as follows:—

10

# Organisation.

Master Reelers' Units

Reelers' Societies			2
Silk Waste Spinners' Units			4
Silk Weavers' Organisations			5
Production.		Raw silk.	Fabrics.
1947-48 (3 months)	••	3,230 lbs. (Rs.73,500)	Nil.
1948-49	••	7,482 lbs. (Rs.2,20,000)	24,600 yds. (Rs.98,000)
1949-50	••	12,260 lbs. (Rs.3,98,161)	75,338 yds. (Rs.3,22,500)
1950-51 (April, 1950 to February,	1951)	13,570 lbs. (Rs.4,18,365)	60,000 sq. yds. (Rs.3,73,196)
Sales.		Rs.	Rs.
1948-49		1,22,600	9,400
1949-50		4,42,20	97,319
1950-51 (up to February, 1951)	• •	4,44,003	2,93,281

# Scheme for Industrial Centres

Under the scheme four Industrial Centres are run with the following objectives:—

- (a) To carry on production of textile goods in specific areas with a view to demonstrate better methods of manufacture so that local weaving industry may be improved.
- (b) To introduce new types and designs and fabrics so that the local weavers may learn the processes and improve their machines.
- (c) To provide employment to loomless weavers with technical guidance and supply of raw materials as also by marketing their finished products.

Necessary staff have been appointed.

		1947-48.	1948-49.	1949-50.	1950-51.
Centres	••	4	• •	••	••
Workers on the roll	••	210	250	155	154 = 769
Workers trained	••	100	130	85	90 = 405
Value of production (R	8.)	25,000	1,10,000	60,000	70,000=2,65 lakhs.

STEPS TAKEN BY THE AGRICULTURE, FORESTS AND FISHERIES DEPARTMENT FOR THE PRODUCTION OF MORE MILK IN WEST BENGAL

The total cattle strength in West Bengal according to the 1945 cattle census is 8:6 million. Excluding buffaloes, the strength is 8 million. Out of this, about 2:8 million are female breeding stock. These animals are mostly of nondescript type yielding only half a seer to one seer of milk per diem on an average. The male animals are also poor in draught.

The deterioration in the quality of the cattle has been due to centuries of neglect in breeding, feeding and management. In order to upgrade our cattle we require at least 28,000 improved bulls. For upgrading the stock our previous policy was to distribute improved bulls to parties who were prepared to maintain them without any charges. It was found after some years of working that this system of placing the bulls in a scattered way did not result in quick upgrading. Besides, it was difficult to control back-crossing of improved progeny with indigenous bulls of the area.

The policy of cattle improvement was therefore revised in 1946-47. Since then, improved bulls have been placed in selected compact areas of different districts for concentrated breeding, one bull being provided for every 100 cows and heifers over 2½ years. Precaution is also taken to castrate all undesirable bulls in such concentrated areas of work to ensure continuous upgrading. Tangible results have been achieved by this method, and the size and formation of the animals as also the milk yield in the areas of operation have improved.

On the 31st March, 1950, we had 427 improved bulls in the State under this scheme. They were placed in 16 compact areas of the different districts except in West Dinajpur. So far, 112,900 improved progeny born out of these improved bulls have been tattooed and registered.

Besides this, researches are carried on and improved cattle are bred at the Haringhata Farm for distribution to the cultivators. We have at present a foundation herd of 335 cows and buffaloes and 10 bulls at that farm. There are also already 400 young stock of different ages, being the progeny of the foundation herd. These are growing well and would provide valuable breeding stock from 1952 onwards.

With a view to accelerate upgrading of the stock, four artificial insemination centres have already been started and we propose to start some more soon.

One of the difficulties of maintaining cattle in proper health in this State is the inadequacy of grazing grounds and the shortage of fodder.

For this, the Economic Botanist of the department is trying to evolve new heavy yielding fodder crops while a Fodder Botanist has also been appointed at Haringhata for studying the problem of fodder improvement of the State.

As the problem of improvement of milk supply is inseparably connected with the problem of improvement of livestock, it will naturally take time before the milk supply improves appreciably. Meanwhile, Government have started a scheme for the preparation and distribution of toned milk which is prepared from buffalo milk toned to about 4 per cent. fat and 9 per cent. solids—not fat—with separated spray-dried imported milk powder. The entire quantity of milk—produced at the Haringhata Farm, about 38 maunds—is supplied to hospitals. Government are also considering a scheme for the removal of khatals from Calcutta to milk colonies to be established in and around Haringhata.

# . Supplementary Materials.

- 1. The area in the district of Dinajpur where concentrated breeding operation was being carried on in the pre-partition days by improved bulls fell in Pakistan and so after the partition there was no Government bull in West Dinajpur. In 1947-48, 10 bulls only were distributed to replace the old ones in other districts, while in 1948-49, 27 bulls of Dairy breed (17 Tharpakar and 10 Sahiwal) were distributed in the Hooghly district, that district being considered very important milk-producing area. Since 1949-50, free distribution of bulls has been discontinued. Hence no bull could be placed in West Dinajpur.
- 2. At present about 10 maunds of "toned" milk are being sold daily from the existing 11 centres. 32 maunds of "toned" milk are also being supplied to the police daily. The following supplies of "toned" milk are also being made daily:—

,		Lbs.
Beliaghata Refugee T.B. Hospital	•••	 54
B. R. Singha Hospital	•••	 31
Women's Canteen at Writers' Buildings		 14

- 3. (i) Estimated cost of removing 960 head of cows and buffaloes and their young stock to four rural milk colonies—Rs.24,78,600. (Construction of cattle sheds, young stock sheds, grain godown, fodder sheds, residential quarters for owners of cattle, etc.)
- (ii) Estimated cost of removing an additional number of 5,000 cows and buffaloes—Rs.1,27,24,000.

#### CONSTRUCTION OF ROADS

Government have for some years past been executing a scheme for the planned development of roads in this State. This scheme is a comprehensive one and is in progress.

Individual projects which have already been undertaken in that scheme have been detailed in pages 155 to 158 of the "Red Book" which was circulated amongst all the honourable members of the House during the last session of the Legislative Assembly.

### HEALTH CENTRES

R	۸ŀ	m	AR.

# Progress made.

- 1. Establishment of health centres ... 106 health centres have already been opened.
- 2. Rehabilitation and improvement of Thorough repairs and necessary additions existing hospitals. have been made to provincialised and State hospitals. In addition grants have been paid to 10 non-Government hospitals.
- 3. Provision of an Infectious Diseases Plans and estimates prepared and con-Hospital in Calcutta. structional work is being taken up.
- 4. Children's Ward in Medical College Hospitals, Calcutta.
- 5. Creation of an Ambulance Service . . Ambulances provided for in all district

Established and running.

- hospitals and certain subdivisional hospitals. 6. Control and Prevention of Venereal Clinics opened in all State hospitals and
- 7. Establishment of a T. B. Sanatorium and a T. B. Hospital at Digri and
- Established and being expanded.
- 8. Establishment of a rural Nursing Service and improvement of nursing system.
- Nurses' Training Centre opened at Burdwan is being expanded.

district hospitals and beds opened in certain hospitals for indoor treatment.

- 9. Conversion of Nilratan Sarkar Medical School (Campbell Medical School), Calcutta, into a College and provision of 100 additional beds.
  - College functioning. Construction of additional buildings to meet the requirement of the college nearing completion.
- Pharmacy Training.
- 10. Improvement of Pharmacy and Training centre opened at Jalpaiguri is functioning.
- 11. Avurvedic College

Diseases.

at Kanchrapara.

.. Financial assistance being given to certain institutions.

# Schemes.

19. B. C. G. Vaccination Scheme

# Progress made.

.. 12 teams are at work in Calcutta and

industrial areas.

12.	Dental Medical College	Dental College, Calcutta, provincialised and expansion taken up.
13.	Rural water-supply	Works for sinking and re-sinking tube- wells being carried on in various areas.
14.	Water-supply and drainage in municipal areas.	Grants being made to municipalities.
15.	Control of malaria	Intensive malaria control measure under- taken in Bankura. Work being ex- tended to other districts.
16.	Maternity and Child Welfare Scheme.	14 maternity centres established and grants being made for opening and maintaining some centres.
17.	Malaria control in the fringe area of the Salt Lakes to the east of Cal- cutta.	Extensive work is being carried on in eastern part of Calcutta bordering Salt Lakes.
18.	Anti-Leprosy Scheme	Leper Colony established at Gouripur being expanded.

# REMOVAL OF ILLITERACY—DEVELOPMENT SCHEMES WHICH CAN BE CONSIDERED AS NATION BUILDING

Provision for 1951-52.

# I. Primary

Rs.

(1) Increasing salaries of Primary School teachers	50,00 000
	8,41,000
	2,84,000
	2,50,000
	- 40,000

# II. Secondary

(1) Expansion of Girls' Secondary Education	2,24,000
(2) Expansion of training facilities of graduate	70,000
men and women teachers.	

# III. Collegiate

<ul><li>(1) Equipment of private colleges</li><li>(2) Equipment and machinery</li></ul>	•	1,00,000 1,00,000
colleges. (3) Colleges for women		3,68,000

Provision	for
1951-52	

# IV. Technical

(1) Immediate and final plan of B. E. College	10,50,000
(2) Grant to Jadavpur College	1,14,000
(3) Technical High Schools	1,65,000
(4) Reorganisation of Government Commercial Institute.	50,000
(5) Engineering Schools for Diploms Courses	2.76.000

#### V. Social

- (1) Physical Instructress for training schools and colleges for girls. 5,000
- (2) Youth Welfare and provision of facilities for 10,000 physical exercise.
- (3) Adult Education .. 9,34,000

Of these, the scheme relating to Social Education has a direct bearing on removal of illiteracy. One thousand two hundred and twenty centres for removal of illiteracy are being conducted either directly by Government or on a grant-in-aid basis.

Also a ten-year scheme for compulsory universal free primary education has been taken in hand by Government and a provision of Rs.9,72,000 has been made for implementation of the scheme in its first stage.

8J. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state, in respect of the cottage industries to which he has referred, if any of them has as yet become self-sufficient?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice. I think there are one or two departments which are self-sufficient, but I will look into it.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state, with reference to the khadi industry, as to whether the yarn and cloth produced under this scheme are placed on the market for sale?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Yes, they are placed in the market.

8j. BIMAL COMAR CHOSE: Will the Hon'ble Chief Minister be pleased to state as to whether any cloth is sold in the market except what is stated here as consumed by the spinners because it appears that all that is produced is consumed by the spinners?

The Hon'ble Dr. BIDHAN CHANDRA ROY: If you want real details on that, please give me a question and I will give you the answer.

8j. DEBENDRA NATH SEN: With reference to page 12—precious document, Construction of Roads—will the Hon'ble Minister be pleased to state as to how many miles of new roads were taken under construction and out of that how many miles have actually been constructed?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Again I ask for notice—I cannot give you the exact figures.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether a Special Engineer has been appointed for this department who has no knowledge of soil in Bengal?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I repudiate that statement.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether this Special Engineer has been appointed without any reference to the Public Service Commission?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice about that.

**Sj. DEBENDRA NATH SEN:** Will the Hon'ble Minister be pleased to state whether a pay of Rs. 3,000 per month is being paid to this Special Engineer?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Possibly.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether not a single new bridge taken up for construction has up till now been completed?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not think he is correct—he is entirely wrong—but I cannot give him all the figures because I am not in charge of the Works and Buildings Department.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state as to which Special Officer, appointed without reference to the Public Service Commission, has prepared this precious document?

The Hon'ble Dr. BIDHAN CHANDRA ROY: That question does not arise.

8j. BIMAL COMAR CHOSE: With reference to the statement on page 10, will the Hon'ble Chief Minister be pleased to state as to what results have been obtained by these industrial centres and as to why they are being maintained still now?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have given all the development projects, but if you want particular information of a particular department of Industries and Commerce, you put in a question and I shall give the answer.

8]. DEBENDRA NATH SEN: With reference to page 7 pertaining to Fisheries—fresh fish—will the Hon'ble Minister be pleased to state the reasons for a gradual deterioration in output per acre of fish beginning from 1948-49 as revealed from the figures given here? In 1948-49 it is 40 maunds per acre, next year it is 3 maunds per acre and in the final year it is 1\frac{1}{2} maunds per acre.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I will refer this question to the Fisheries Department.

SJ. DEBENDRA NATH SEN: Then why has the Hon'ble Chief Minister taken the responsibility of supplying these figures to us?

The Hon'ble Dr. BIDHAN CHANDRA ROY: You ought to know why.

SJ. DEBENDRA NATH SEN: With reference to Health Units, will the Hon'ble Minister be pleased to state the total money spent per each Health Centre for buying of medicine?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether for purposes of improvement of health, a building, a fat-salaried doctor and an ill-paid compounder are sufficient?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I repudiate all the suggestions and insinuations. I do not propose to answer that question.

# Death of one Megra Bibi at Umadas Lane, Taltala, Calcutta.

- \*33. Janab SYED BADRUDDUJA: Will the Hon'ble Minister in charge of the Home Department be pleased to state—
  - (a) if it is a fact that one Magratan Bewa, village Billundopur, P.O. Mograhat, district 24-Parganas, was beaten to death by a police officer on the 3rd of April, 1951, at about 9 a.m. at Umadas Lane, Calcutta;
  - (b) if so, what action has been taken against the said police officer;
  - (c) if it is a fact that some eye-witnesses to the incident have since been arrested;
  - (d) if the Hon'ble Minister is aware that the deceased left two minor children; and
  - (e) if so, whether the Government will consider the desirability of granting adequate relief to the minor children?

MINISTER-in-charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (a) A woman named Megra Bibi died at Umadas Lane on the 3rd April, 1951. The post-mortem examination showed that there was no mark of injury or violence externally on the body of the deceased and that she had an enlarged spleen. The medical officer held that death was due to the effects of rupture of the spleen. In consideration of this and other evidence the verdict at Coroner's inquest was that "death was caused by rupture of spleen due to some impact the nature of which cannot be ascertained for want of sufficient evidence". The post-mortem examination report establishes beyond doubt that she was not beaten at all, much less "beaten to death". The Coroner's inquest verdict together with the results of investigation leave little doubt that rupture of the spleen was caused by her falling down while running away on the approach of the police.

- (b) Does not arise.
- (c) No.
- (d) Yes, a son aged about 7 years and a daughter aged about 5 years.
- (e) An ex gratia payment of Rs.300 has been sanctioned on compassionate grounds to the father of the deceased, who is looking after the two minor orphans.
- **3j. DEBENDRA NATH SEN:** With reference to reply (a)—last but one line—where it is stated "while running away on the approach of the police", will the Hon'ble Minister be pleased to state what was the occasion for the police to go there?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Because she was a smuggler.

8j. DEBENDRA NATH SEN: Was any person arrested in connection with this?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

- 8j. DEBENDRA NATH SEN: On a point of order, Sir. This question No. 34 contains several questions which do not appear in question No. 33 and the Hon'ble Minister only refers to his reply given in question No. 33, for instance, question No. (iv), namely, that "the officer concerned was chased by the public and rescued by a police patrol", and such other things. I do think that the reply is in order. I want a ruling from you, Sir.
  - Mr. DEPUTY SPEAKER: You can ask your supplementary questions.
- Dr. SURESH CHANDRA BANERJI: Sir, the answer is not complete. All the questions have not been answered properly.
  - Mr. DEPUTY SPEAKER: You can put your supplementary questions.
- 8j. DEBENDRA NATH SEN: Unless a reply is given, how can we ask supplementary questions?
- 8j. BIMAL COMAR CHOSE: Sir, a point of order was raised on this point. Whereas we understand that you have no authority to force a Minister to answer supplementary questions in a particular way, what will be the position in regard to the question which has not been properly answered in the usual course—whether Government is obliged to answer that question and whether you have any authority in that regard or not?
- Mr. DEPUTY SPEAKER: If the question occurred on any other day, then your point would be very much relevant in this matter. Today's question has been referred to, and your point is therefore not relevant, no matter whether he has answered all the questions in proper place or not. Now you can ask your supplementary questions and I will ask the Hon'ble Minister to answer those questions.
- 8]. BIMAL COMAR CHOSE: Sir, we wanted your ruling as to whether a Minister can answer a question in an unusual way or he may not answer it at all?
- Mr. DEPUTY SPEAKER: I cannot force a Minister or the Government to answer a question in a particular way. You put the supplementary questions and I can request the Minister to answer those questions.
- 8]. DEBENDRA NATH SEN: On a point of order, Sir. It has been the practice to place the replies on the library table one hour before.
  - Mr. DEPUTY SPEAKER: Half-an-hour before.
- Sj. DEBENDRA NATH SEN: Sir, we have just now got the answer and we have not yet been able to read that answer. I, therefore, submit that question may be held over.
- 8j. HARIPADA CHATTERJEE: We have not yet been able to go through the reply. So this question should be held over.
  - Mr. DEPUTY SPEAKER: All right, the question is held over. Next.
- 8]. DEBENDRA NATH SEN: Sir, this question also may be held over. We have not yet been able to go through these figures. We shall have to test them and verify them before we can ask supplementary questions. We have got it only just now.
  - Mr. DEPUTY SPEAKER: The question is held over.

# COVERNMENT BILL.

# Calcutta Municipal Bill, 1951.

Clause 20.

- 8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that in clause 20, line 2, for the words "three thousand" the words "fifteen hundred" be substituted.
- 8j. KANAI LAL DE: Sir, I beg to move that in clause 20, line 2, for the words "three thousand" the words "two thousand" be substituted.
- 8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that in clause 20, line 4, for the words "State Government" the word "Corporation" be substituted.
  - Mr. DEPUTY SPEAKER: Yes, Mr. Bhandari, you can speak now.
- \$j. CHARU CHANDRA BHANDARI: এই clause 20তে Commissionerএর নাহিনা ও allowancesএর কথা বলা হয়েছে। Clause 20তে বলা হয়েছে যে Commissioner নালে not exceeding three thousand rupees মাইনা পাবে। কিন্তু আমার amendment হচেছ যে এই তিন হাজার টাকার হলে, ১৫শো টাকা করা হোক। এই হচেছ আমার প্রথম amendment.

খামার হিতীয় amendment হচেছ এই যে এর মধ্যে বলা আছে এই State Governmentএর জায়গায় Corporationকে খানা হোক। খানরা এইটা মনে করি যে কারও মাইনা ১০০১ টাকার কম হওরা উচিৎ নয়, এবং খানাদের দৃচ অভিমত এই যে Stateএর কোপাও সর্ব্বোচচ মাইনা, যে সর্ব্ব-নিনু মাইনা, তার ১৫ গুনের বেশী হওয়া উচিৎ নয়। এইজন্য আমি amendment দিয়েছি যে Commissionerএর মাইনে ১৫শো টাকার বেশী হতে দেওয়া উচিৎ নয়। হিতীয় কথা হচেছ যে এই মাইনে দেবে বুঁCorporation কিন্তু মাইনে হির করে দেবেন State Government। এটা একটা বিসদৃশ বাপার। এটা করা উচিৎ নয়। এটাকে যুক্তিসংগত করতে হলে, Corporationই মাইনে হির করে দেবেন এবং সেই মাইনা ১৫শো টাকার অতিরিক্ত হওয়া কিছুতেই যুক্তিসংগত হবে না। —

8j. KANAI LAL DE: মাননীয় সভাপাল মহাশয়, আমার একটা amendment আছে।
Clause (20)তে বলা হয়েছে যে Commissionerএর বেতন এবং allowances তিন হাজার টাকা পর্বান্ত
হবে। আমার amendment হচেছ Commissionerএর বেতন এবং allowances কোন অবস্থাতেই
দুই হাজার টাকার বেশী হবে না। আমি এই পুসজে বলতে চাই যে আমাদের সরকার বেশী বেতনের দিকে
অত্যন্ত ঝোঁক দিচেছন।

আমাদের পুদেশে কংগ্রেশী সরকার পুতিষ্ঠিত, —এই কংগ্রেস একদিন এক Working Committeeর নিটিংএ
পুদ্ধাব ধার্য্য করেছিলেন যে যুদ্ধের পূর্বের্ব, কোন সরকারী চাকরীতে পাঁচশো টাকার বেশী হবে না। তারপর
যখন যুদ্ধ চলছিল এবং মুদ্রাস্ফীতি হয়েছিল তখন আবার Working Committee ধার্য্য করেছিল বে এই পাচশো
টাকা, মুদ্রাস্ফীতির সঙ্গে সমতা রেখে, ১৫শো টাকা হবে।

আনি যতপুর সরবণ করতে পারি, শূীযুত রাজেন্দ্র পূসাদ, বিনি বর্ত্তরানে রাইপতি হয়েছেন, তিনি তর্থন কংগ্রেসের সভাপতি ছিলেন এবং তাঁর সময়ই দ্বির হরেছিল যে ভারতবর্ষের সমস্ত সরকারী চাকুরীতে ১৫শো টাকার । বেশী বৈতন হবে না।

- 8j. SUSIL KUMAR BANERJEE: I think, Sir, that portion should be expunged from the proceedings.
  - Mr. DEPUTY SPEAKER: Yes.
- 8j. KANAI LAL DE: আচছা, সাার আমি ঐ কথা withdraw করছি। আমি পূর্বে অনেক বজ্জার বলেছি, আবার তার পুনরাবৃত্তি করছি।

আবাদের কংগ্রেণী সরকারের ইডিহাস প্রতিশুলিত ভক্ষের ইডিহাস। আবাদের স্বাধীনতা অবর্জনের পূব্দের জনসাধারণকে বে সমস্ত প্রতিশুলিত দেওরা হরেছিল, স্বাধীনতা সাভের পর তা একে, একে এই কংগ্রেণী সরকার পদললিত করে দিরে নির্কাক্ষভাবে বেতন বাড়িরে দিচেছন। আফকে কোন উজেশ্যে এই সরকার, বার সাড়ে সাতশো চাকা নাইনে ছিল তার নাইনে সাড়ে সাতাশশো চাকা করে বাড়িরে দিচেছন । এই কর্মা পরিষদে বছরার বলা হরেছে। এই Corporationএও একজন Commissionerএর বেতন তিন হাজার চাকা পর্যন্ত বেওরা হচেছ। কংগ্রেসের প্রতিশ্বতিমত, কোথায় Commissionerএর বেতন কর করে দেওরা উচিৎ, তা সাকরে, তাঁরা তার বেতন বেণী করে বার্ঘ্য করবার পুদ্ধার করছেন।

া আমাদের ভারতবর্ষ এত দরিদ্র দেশ, এবং দেশের গঠনমূলক কার্য্যের জন্য বছ টাকা দরকার, কিছ সেই টাকার জভাবে কাজ করা হচেছ না। অধচ দরকারী কর্মচারীদের বেতন না কমিরে, বৃদ্ধি করবার পুস্তাব করছেন।

চারুবাবর প্রস্তাব আমি সমর্থন করে বলছি যে কারও মাইনে ১৫শো টাকার বেশী হওয়া উচিৎ নয়।

কংগ্রেণী সরকার হয়ত বলতে পারেন যে এতবড় একটা দায়িছপূর্ণ পদে যাকে নিবৃক্ত করা হবে, ডাকে যদি বেশী বেতন না দেওয়া হয়, তাহলে তার পুলোভন বেড়ে যাবে এবং তিনি উৎকোচ গ্রুহণ করতে পারেন। কিছ, আজকাল দেবঁ যায় কি? কেন্দ্রে, বা পুদেশের সর্বেত্র বহু বেশী বেশী বেতনভোগী কর্মচারীয় নির্দক্ষভাবে ধারাপ কাজ করছেন। একটা tribunal করলে দেখা যাবে যে এই ধরণের উচ্চপদম্ব কর্মচারীদের সংখ্যা কম নয় এবং তাঁরা উৎকোচ নিচেছন। স্পতরাং বেশী বেতন নেওয়ার উপর মানুদের চরিত্র নির্ভ্তর করে না, মানুদের নৈতিক চরিত্রের উপর সব কিছু নির্ভ্তর করে। তাঁরা ইচছা করলে উৎকোচ গ্রুহণ না করে, above temptationএ থাকতে পারেন। স্পতরাং বেশী বেতনের দিকে নজর না দিয়ে, যাতে লোকের নৈতিক চরিত্র ভাল হয় তার দিকে চেটা করা উচিৎ। আমি জানি এই ১৫শো টাকা বেতনে, এই দায়িষপূর্ণ পদে বহু সং কর্মচারী পাওয়া যাবে। এই কথা বলে, আমি আমার amendment গ্রুহণ করবার জন্য সরকারকে জনুরোধ করছি।

Sj. HEMANTA KUMAR BASU: (७ পুটি न्लीकांत्र मरशामत, पामारमत पर्रां (य जारव दिज्ञानंद ব্যবস্থা আছে তাতে আমাদের দেশে সাধারণ লোকের উপজীবিকার যে অংটনিতিক মান তার দিকে नष्ट রেখে এটা নির্দিষ্ট হয়নি। যে সমস্ত গরীব লোক আজ সরকারী চাক্রীতে আছেন, তাঁর। কেরানী হোক বা পিতোন হোক, তাদের প্রত্যেকেরই ঘর, সংসার, ছেলেপিলে আছে, এদের দিকে দৃষ্টি রেখে পঞ্চাশ টাকার জায়গায় একশো টাকা বেতন করেননি। কিন্তু উপরের যে সমস্ত কর্ম্মচারী আছেন, তাঁদের জন্য বেশ মোটা মোটা বেতনের ব্যবদা। করে থাকেন। আমার মতে উপরের দিকে এত বেশী মাইনা হওয়া উচিৎ নয়, আবার নীচের দিকে যে সমস্ত কৰ্ম্মচারী আছেন তাঁদের ৰেলায়ও এত কম মাইনা হওয়া ঠিক নয়। গভৰ্ণমেণ্ট ৰলে থাকেন যে উপরের রুর্দ্রচারীদের যদি বেশী নাইনা দেওয়া না হয়, তাহলে তাঁরা ভাল করে কাম্ম করতে না পারেন। স্মুতরাং তাকের क्कना शक्क वावका। किन्त जाशनासित ताथ दय स्मत्रण जारू त्य सम्बन्ध विख्यक्षन माम शुक्तम स्थन Mayor इन ज्यन जिनि Chief Executive Officer এর মাইনা ক্ষিয়ে দিয়ে দেড় হাজার টাকা ক্রেন। এবং আরাদের নেতালী স্থভাষ চন্দ্ৰ বোদ বৰ্ধন কলিকাতা কৰ্পোৱেশনের Chief Executive Officer হন, তৰ্থন তিনিও এট एक हास्रात होका मारेनाय कांस्र करतन। स्ट्रांश मारेटनत पिटक पृष्टि ना पिटा यपि छाँता এह पिटक पृष्टि पान তাহলে বেশী মাইনের পূশু ওঠে না। যতই বেশী মাইনা দেন না কেন, কর্পোরেশনের শাসনব্যবস্থা পরিচালনার ৰৰো ৰোটা ৰোটা মাইনের বছ কৰ্মচারী নিয়োগ হয়েছে কিন্তু সেইভাবে administrationএর কোন উন্তি हम्रनि. वतः चर्राशिलित पिरक शिराहर । Rate-payersता रकान तक्य चिल्राश कतरण अमन कि श्रामा নিশ্বে পরেও, তার কোন উত্তর পান না। অপচ Chief Executive Officer ও অন্যান্য যে সমস্ত Administrative অফিনার আছেন, তাঁলের মাইনা ক্রমশ: বাড়ান হচেছ্ এতে top-heavy administration ছরে বাচেছ। অধ্য কাল কিছুই হচেছ না। রাস্তাঘাট এত ধারাপ হয়ে গিরেছে যে পথে চলা বায় না। অনেক खांत्रशांव बांत्व खांतांत्र बलावेख नारे। खलात जान बावेखा नारे। खुडताः এर मनख वेड वेड वर्षकातीना वर्षन কাল ঠিকভাবে করছেন না, তথন তাদের এত বেশী বেশী মাইনা দিয়ে রাখবার কি প্রবোলন আছে। এত ৰেশী মাইনা দিয়ে অফিলার রেখে কাজ চালানর কি criterion, তা আমি বুলি না। Public Service Commission कि standarda कर्चगंदी नित्तांश क्रवन, छा जानि जानि ना। यनि छाँएम्ब अहे standard হত যে কাল দেখে, তাদের বাইনা ঠিক করা, বাকে তাকে এত বেণী বাইনা দেওয়া হবে না. এইটাই বদি বড় criterion হড, ভাহলে আনার ধারণা, এই administration এড জনপ্রিতা হারাত না। সেইজন্য আনার নতে এই দেড় হাজার টাকা যাইনে একজন Commissionerএর পক্ষে যথেই। কারণ একটি গরীব কেরাণী সামান্য যাইনার, তার সংগার, ছেলেপুলে নিরে চালার আর এই দেড় হাজার টাকা মাইনাতে তার কেন চলবে না। স্বতরাং তাঁলের দেশের পুতি যদি কোন রক্ষ ব্যতা থাকত, তাহলে তাঁরা Commissionerএর জন্য দেড় হাজার টাকার বেশী যাইনা করতেন না। সেইজন্য আদি মনে করি স্বতাঘচন্তের আদর্শের দিকে লক্ষ্য রেখে তাল লোককে নিযুক্ত যদি করেন, তাহলে তিনি দোশের সেবা করতে পারবেন। এবং সেইদিক থেকে আরি মনে করি এই দেড় হাজার টাকা মাইনাই যথেই। যাঁরা বান্তবিকই কংগ্রেসের লোক, কংগ্রেস-নীতিতে বিশাসী, তাঁরাই কংগ্রেসের নির্দেশ অমান্য করে দেড় হাজার টাকার বেশী মাইনে করে দিচেছন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I oppose the amendments. There is a delusion in the minds of some that if you reduce the salary of the higher paid officers the lower paid officers will be benefited. If those who have got a copy of the "West Bengal Rupee—Where it goes" which had been printed by the Finance Department of this Government and circulated to members would have gone through it they would find this on the first page that the total number of officers in the Government who get a salary above Rs. 1,000 is so small compared to the total number of people who get smaller salaries. Once I calculated it and I found that granting that we paid no salary to the officers who got more than Rs. 1,000 and distributed that money to the lower-paid officers, the utmost that we could do to the lower paid employees would be to increase their salary by one rupee a month. Therefore there is nothing in the proposition of fixing a lower pay for the high posts on the ground of the lower paid officers being benefited thereby, which will not be the case as I have pointed out just now. The second point that has been made out is why should we have such a high rate of salary for the Commissioner. Now you see that members of the Legislature here and Members of parliament there in Delhi get a daily allowance of very large sums—to my mind it is not large but some people think that it is very large—and I have not heard of any proposal from any of the members who get such large amounts for their daily allowance and travelling allowance that they have parted with even a little of it for the sake of the poorer friends and the poorer co-workers. As a matter of fact I was told by one prominent member of the Constituent Assembly that at one time several members of the Assembly including some of the most prominent members of the Congress had resolved that they should charge only Rs. 30 and not Rs. 45 a day for attendance but he told me categorically that only one person out of the 30 who had signed that agreement ever took less than Rs. 45 so that it is not a question of everyone lowering his emoluments himself. When it is a question of paying something more to somebody else one begins to open his eyes and stare at him and say "This man is taking so much". The whole question is as Mr. Kanai Lal De has suggested—probably he suggested it in a jocous vein but he struck the right chord—and that is this that we are giving this officer deliberately a certain amount of responsibility and a certain amount of sense of duty. I wish there were more Netaji Subhas Boses amidst us who would do the work not even on Rs. 1,500 but on much less than that. But knowing the world as I do my experience has been that it is not possible for any one to expect any one to do his best unless you meet his needs. What are his needs depends upon the status of the particular person and the amount of commitments that that person may have and the amount of responsibility that his work involves. If that gentleman happens to be a person who is imbued with a spirit of service, he will probably himself give away a portion of the salary that is paid to him but the employer has no right to say, "I shall not give you this salary". Every man is paid according to the type of work that he has got to do and according to the responsibility cast upon him. He puts his own value to the amount of work he does. In

this connection I may mention one very good instance. There was a discussion some time in Delhi that the Chief Engineer of the Damodar Valley Corporation has been paid a very high salary. He is an American and he gets Rs. 10,000 or more; and there was a row over his high salary. But I was informed by a very great authority that within the six months he had been here, he had been able to save the Damodar Valley Corporation a sum of Rs. 40,00,000 because he employed his mind and put his work in such a way that he could reduce the cost of the Damodar Valley Corporation by Rs. 40,00,000. And so, Sir, it is money well spent. It is not merely the physical needs but it is the value of the particular man's services that we have to consider.

Another question has been asked, why should the Government fix the salary, and not the Corporation? Sir, it is the absolute standing rule all over the world that the person who appoints is the person who fixes the salary. Therefore it is not at all unusual that when the Government spare a Government officer for any service outside Government department, the Government should fix the salary. For instance, when Sir C. V. Raman was taken over from the Finance Department and put as a Professor of the Science College and similarly when Sir S. Radhakrishnan was appointed, whatever salaries were paid to them were fixed by the Government although the University had to pay the same. That is the position. It is true that if the other amendments put by the Opposition that the Commissioner should be appointed by Corporation had been agreed to, then of course the salary would have been fixed by the Corporation. But now that the Legislature has accepted the view that the appointment will be made by the Government, the salary should be fixed by the Government.

I think, Sir, I have answered all the questions, and I oppose all the amendments.

The motion of Sj. Charu Chandra Bhandari that in clause 20, line 2, for the words "three thousand" the words "fifteen hundred" be substituted, was then put and a division taken with the following result:—

#### AYE8-9.

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati Chatterjee, Sj. Haripada De, Sj. Kanai Lai Ghose, Sj. Bimai Comar

# NOE8-40

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushii Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das, Sj. Kanaliai
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Golam Hamidur Rahman, Jansb
Gomes, Mr. D.
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand
Kawan Jah Salyid
Mahammad Kased Ali, Janab
Mahammad Kased Ali, Janab

Mahanty, SJ. Charu Chandra
Majumdar, The Hon'ble Bhupati
Mail, SJ. Iswar Chandra
Mandal, SJ. Annadaprasad
Mandal, SJ. Bankubehari
Mandal, SJ. Krishna Prasad
Mandal, SJ. Wrishna Prasad
Mandal, SJ. Wmesh Chandra
Misra, SJ. Sowrindra Mohan
Mohammad Hossain, Dr.
Mookerli, The Hon'ble Kalipada
Murarka, SJ. Basantial
Naskar, The Hon'ble Hôm Chandra
Panja, The Hon'ble Jadabendra Nath
Pramanik, SJ. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy Sarkar, SJ. Birendra Nath
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimai Chandra
Zaman, Janab A. M. A.

The Ayes being 9 and the Noes 40, the motion was lost.

The motion of Sj. Kanai Lal De that in clause 20, line 2, for the words "three thousand" the words "two thousand" be substituted, was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in clause 20, line 4, for the words "State Government" the word "Corporation" be substituted was then put and lost.

The question that clause 20 do stand part of the Bill was then put and a division taken with the following result:—

#### A Y ES-43

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chakravarty, Sj. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanallai
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
...Kawan Jah Saiyid
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Mahammad Sayeed Mia, Janab

Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mandai, Sj. Annadaprasad
Mandai, Sj. Bankubehari
Mandai, Sj. Wrishna Prasad
Mandai, Sj. Umesh Chandra
Misra, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada
Mudasir Hossain, Janab
Muhammad Siddique, Dr. Syed
Murarka Sj. Basantiai
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pramanik, Sj. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy Sarkar, Sj. Birendra Nath
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Zaman, Janab A. M. A.

#### NOE8-10

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra Bose, Srijukta Bivabati Chatterjee, Sj. Haripada De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Ghose, Dr. P. C.

The Ayes being 43 and the Noes 10, the motion was carried.

# Clause 21.

- 8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that in clause 21, for sub-clause (1), the following be substituted, namely:—
  - "(1) Leave may be granted to the Commissioner by the Corporation provided that such leave may not at any time exceed three months."
- **8j. KANAI LAL DE:** Sir, I beg to move that for clause 21(1), the following be substituted, namely:—
  - "(I) Leave may be granted to the Commissioner by the Corporation on such terms and conditions as the Corporation may think fit."

I beg to move that in clause 21(I), line 2, for the words "State Government on the recommendation of the Corporation" the words "Corporation in consultation with the State Government" be substituted.

8]. CHARU CHANDRA BHANDARI: Sir, I beg to move that in clause 21(2), line 2, for the words "State Government" the word "Corporation" be substituted.

বানশীৰ স্পীক্ষ বহোগয়, এই clauseটা হচেছ কৰিনাৰকৈ ছুটি দেওবা স্পৰ্কীয়। এই ব্যবহা খুব ভাল হয়েছে। Government ভাঁকে appointment দেবেন আন ভিনি চাক্ষী ক্ষৰেন Corporationএয় কাছে। ভাঁকে নিৰোগ ক্ষৰেন Government, ভাঁকে dismiss ক্ষৰেন Corporation। ভিনি কাম্ব ক্ষৰেন Corporationএয়, চুটি দেবেন State Government। অভি সুন্দন ব্যবহা। Diarchy শুবু এদিকদিয়ে নয়, ওদিকদিয়েও diarchy। এখন বেচারী কমিশনারের কি অবহা। একম্বন নিয়োগ ক্ষৰেন, আন একম্বন dismiss ক্ষৰেন। Governmentএয় মনে কি আছে আমি ম্বানি না। Government কি ক্ষে বুখবেন ক্থন ভাঁব চুটির দ্বকার হবে কি হবে না। এই ব্যবহাটা অভ্যন্ত unreal হয়েছে। Corporationএর হাতে ক্ষিশনারের চুটি দেওয়ার ভাব না বেখে Government কেন নিম্বের হাতে রাবছেন আমি ব্যবহে পাবিনা।

- Sj. KANAI LAL DE: Mr. Speaker, Sir, আমি চারুবাবুর সংশোধনী পুজাবটা সমর্থন করছি। এই বিলে কমিননারের ছুটি দেওয়া সম্পর্কে যে ব্যবস্থা করা হয়েছে তাতে Corporationএর অন্যান্য কর্মচারীদের moral নই হতে পারে এবং নানাভাবে তাদের মধ্যে ইর্মা ও বিষেম জাগতে পারে। Corporationএ যথন কাজের তীড় তখন Chief Secretary Corporationকে না জিজাসা করে কমিননারের ছুটি মঞ্জুর করে দিলেন, তাতে কাজে একটা anomaly স্কষ্ট হবে। আমি পুধান মন্ত্রীর দৃষ্টি জাকর্মণ করে বলছি যে, কমিশনারের ছুটি সম্পর্কে এমন একটা ব্যবস্থা যেন করা হয় যাতে Corporationএর কাজে কোন গওগোল স্ক্টীনা হয়।
- 8j. HEMANTA KUMAR BASU: মাননীয় স্পীকার মহোদয়, Government শুৰু কমিশনাবকে নিয়োগ করবেন না, তাঁকে হাতে রাধবার ব্যবস্থাও এই বিলের ধারা করা হচেছ। ছটি দেবেন State Government এবং officiating arrangementও করবেন State Government; কর্পোবেশনের কোনই ক্ষমতা থাকছে না এই ব্যাপারে। এই ব্যাপারটা দ্বনস্থাধিরোধী। Future Government কিভাবে formed হবে সেদিকে দৃষ্টি ব্লেবে আইন করা কর্ত্তবা; এ বা অবশ্য মনে করছেন এ দেরই হাতে ক্ষমতা আসবে। এই বলে আমি এই বিলটার তীশ্র বিরোধিতা করছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I am sorry to say that my friends opposite have not read the section at all. No leave can be granted to the Commissioner except on the recommendation of the Corporation. If the Corporation needs his services, and the Commissioner applies for leave the Corporation will not recommend, and the Government cannot grant leave. Kindly read the section; and the addition that has been made by the Select Committee is obviously for the purpose of ensuring that the work of the Corporation may not come to a standstill; and it is for the same purpose that in view of the fact that the Government appoints the Commissioner at the first instance if there is any leave given to him on the recommendation of the Corporation by the State Government, the State Government must find a person. It is the responsibility of the State Government to do that. My friends opposite do not realise that the legislature already accepted the position that the Commissioner will be appointed by the State Government. Therefore the responsibility will be for the State Government to find a substitute in case he is given leave on the recommendation of the Corporation under any particular circumstances.

With these words, Sir, I oppose the amendments.

The motion of Sj. Charu Chandra Bhandari that in clause 21, for subclause (1), the following be substituted, namely:—

"(1) leave may be granted to the Commissioner by the Corporation provided that such leave may not at any time exceed three months."

was then put and lost.

The motion of Sj. Kanai Lal De that for clause 21(1), the following be substituted, namely:-

"(1) Leave may be granted to the Commissioner by the Corporation on such terms and conditions as the Corporation may think fit.'

was then put and a division taken with the following result:-

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Si. Charu Chandra

Bose, Srijukta Bivabati De, Sj. Kanai Lal Ghose, Sj. Bimal Comar Ghose, Dr. P. C.

#### NOES-40

Abdullah, Janab S. M. Abdus Shokur, Jamab Banerjee, Sj. Sushii Kumar Barman, The Hon'ble Syama Prasad Bhattacharyya, Sj. Shyamapada Chakravarty, Sj. Satish Chandra Chaudhuri, The Hon'ble Rai Harendra Nath Das, Sj. Radha Nath Das Gupta, Sj. Khagendra Nath Dass, Sj. Kenailai Dolui, Sj. Harendra Nath Dutt-Mazumdar, The Hon'ble Niharendu Ganguli, Sj. Bepin Behari Gayen, Sj. Arabinda Golam Hamidur Rahman, Janab Gomes, Mr. D. Gupta, Sj. J. C. Haldar, Sj. Kuber Chand Kazem Ali Mirza, Janab Shahibzada Kawan Jah Saiyid

Mahammad Sayeed Mia, Janab Majhi, Sj. Nishapati Mai, Sj. Iswar Chandra Mandal, Sj. Annadaprasad Mandal, Sj. Krishna Prasad Mandal, Sj. Umesh Chandra Misra, Sj. Sowrindra Mohan Mohammad Hossain, Dr. Mudassir Hossain, Janab Murarka Sj. Basantial Naskar, The Hon'ble Hem Chandra Panja, The Hon'ble Jadabendra Nath Pramanik, Sj. Rajani Kanta Rafiuddin Ahmed, The Hon'ble Dr. Roy, The Hon'ble Dr. Bidhan Chandra Roy Sarkar, SJ. Birendra Nath Roy Singh Sarker, SJ. Satish Chandra Sen, The Hon'ble Prafulla Chandra Shamsul Huq, Janab Sinha, The Hon'ble Bimal Chandra Zaman, Janab A. M. A.

The Aves being 9 and the Noes 40, the motion was lost.

The motion of Sj. Kanai Lal De that in clause 21(1), line 2, for the words "State Government on the recommendation of the Corporation" the words "Corporation in consultation with the State Government" substituted, was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in clause 21(2), line 2, for the words "State Government" the word "Corporation" be substituted, was then put and lost.

The question that clause 21 do stand part of the Bill was then put and agreed to.

### New clause 21A.

8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that after clause 21, the following new clause be inserted, namely:-

"Appointment of officiating Commissioner in case of of Commissioner.

21A. If any vacancy occurs in the office of the Commissioner on account of death, resigdeath, resignation or removal - nation or removal, the State Government may appoint another person to officiate as Commissioner in his place for a period not exceeding two months, pending the appointment of a Commissioner under section 19.

sub-section (1)".

8j. CHARU CHANDRA BHANDARI: Sir, I beg to move at short notice an amendment to this new clause 21A just now moved by Sj. Sushil Kumar Banerjee that in line 3 for the words "State Government", the word "Corporation" be substituted.

এই সম্পর্কে আমার যে amendment move করলাম তার থেকে স্পষ্টই বোঝা যাচেছ্ আমার উদ্দেশ্য কি।
অর্থাৎ এতে Corporationএর উপর appointment করবার ক্ষমতা রইল না কিন্তু যদি দুই-এক মাসের
জন্যও কোন vacancy হয় তা'হলে দেখানে লোক নিরোগ করবার ক্ষমতা এই Corporationএর থাকবে।
আমি বলছি চিরদিনের জন্য নর, দু'এক মাসের জন্য যেখানে appointment করতে হবে, দেখানে Governmentএর উপর তার না দিয়ে Corporationএর উপর তার দেওয়া হ'ক। এখানে বলা হয়েছে যে,
Government on the recommendation of the State Public Service Commission
appointment করবেন। আপনারা ত ছয় মাস চালিয়ে দিয়েছেন, তার চেয়ে indefinite period চালিয়ে
দিন না। যেখানে দু'এক মাসের জন্য vacancy হবে শেখানেও এই appointmentএর জন্য
Corporationএর হাতে ক্ষমতা দিতে এত হিংসা কেন। (Laughter.) দু'এক মাসের জন্য যেখানে
vacancy হবেঁ, দেখানে লোক appointment অন্তত্ত: Corporationকে করতে দিন। এই দু'এক
মাসের জন্য কি administration একেবারে শেঘ হয়ে যাবে। এই যে new clause করছেন এটা অত্যন্ত
জন্যায়। এতে lacuna থেকে যাচিছল, এই lacunaকে rectify করা হয়েছে। কিন্তু আমার আপত্তি
হচেছ যে এখানে State Government করলেন কেন। এখানে State Governmentএর বদলে
Corporation করা উচিৎ ছিল। এবং তাই করা হ'ক।

Sj. SIBNATH BANERJEE: Mr. Deputy Speaker, Sir, আদি এটা on principle oppose করছি। অর্থাৎ last momentaও lacuna থেকে গিয়েছিল, কেন থেকে গেল ? একবার ছ্র-শত পৃষ্ঠার মহাভারত লিখে, তারপর সেটাকে Select Committeeতে পাঠালেন এবং কত কি কাও হয়ে গেল তা সম্বেও একটা এত বড় lacuna থেকে গিয়েছিল। আরো অনেক কিছুই হয়ত রয়ে গিয়েছে। বার বার মুদ্ধে লেখাই আপনাদের অভ্যাদ।

Mr. DEPUTY SPEAKER: আবার ত আপনাদের amendment আনতে হবে।

Sj. SIBNATH BANERJEE: জানিনা এতে খন্য কোন anomaly সৃষ্টি কবলেন কিনা ৷ এই বিলটা এত তাডাভাড়ি শেষ করতে চাচেছন কেন ৷

Mr. DEPUTY SPEAKER: ভাল amendment এলেও কি তার উপর দোঘ লেবেন চ

Sj. SIBNATH BANERJEE: এজিনিঘটা অনেকদিন ধরেই বয়েছে। কিন্তু এটা শেষ করে দিচিছ্বেন অথচ এডদিনেও এই amendmentটা করতে পারেননি। আজকে last moments কথন 21A আলোচনা শেষ হবে এলো তখন এটা আনছেন, আগে ভাবেননি কেন। এর বধ্যে আর কোন lacums আছে কিনা এখন ধরতে পারছিনা। যার সকে সংগতি রেখে এটা করা হচেছ্ সেটা আগেই চিন্তা করে আনা উচিৎ ছিল।

ভারপর clause সহছে আনার আগাগোড়াই আপন্তি ররেছে। আনি stage by staged এই আপন্তি জানাচিছ। Corporation এখানে যা করা হরেছে সেটা self-governmentএর একটা পুহসন নাত্র। আপানারা ভোটের জোরে হরত এটা পাস করে নেবেন। Clause 21Aতে বলা হরেছে বে, যদি কখনও casual vacancy হর, যদি কেউ ছুটী নের, ভাহলে সেই অলপ দিনের জন্যও বেখানে Government appoint করবেন, Corporation করবে না। এটাও ভাই সেই lineএই আসছে সেইজন্য আনি এটা oppose করছি। এই অলপ দিনের জন্য কাউকে appointment দিতে হয়, সেটা temporary বলোবত্ত হবে সুভ্রোং এর ভার Corporationএর হাতে খাক। উচিং। একজন Commissioner যদি কোন কারবে সভরোবাতা দেন বা death হয় ভাইবেল সজে ভাবের আরগার appointment করা হবে, লই বানের জন্যই হ'ক বা বে কয় বানের জন্যই হ'ক। কিছ section 19এতে বেটক provision

ন্ধানহে, তাও এখানে থাকলো না। এই বে procedure লেটা একেবারে wrong. করেকজন Commissioners-এর মধ্যে যদি একজন মারা যান, তাহলে the rest can carry on. সুতরাং বেটুকু safeguard section 19এতে রাখা হয়েছে, সেটুকুও রইল না। আমরা দেকেছি যে Public Service Commissionএর ভিতর দিয়ে অনেক সময় specialisters আমদানী করা হয়; যেনন অমল হোম ও কে, কে, রামকে করেছিলেন, আমি কছি on principle again it is wrong. কারণ এতে যদি একটা stalemate বা অচল অবস্থার স্পষ্ট হত তাহলে বুখতাম যে এর দরকার আছে। যদি বুখতাম যে স্বাই একসঙ্গে resignation দেন বা মারা মান তাহলে তাঁরা এইরকম ব্যবস্থা করতে পারেন। কিন্তু মাত্র যি একসঙ্গে resignation দেন বা মারা মান তাহলে তাঁরা এইরকম ব্যবস্থা করেতে পারেন। কিন্তু মাত্র যি একজন Commissioner resign করেন তাঁহলে the rest can carry on very well. কিন্তু এ যে স্ব সময়েই সরকার স্ব power নিজের হাতে রাখতে চান, এবং এটা ক্রমণাই বৈডে যাচেছ। "যতই পায় ততই চায়;" এ দেরও হয়েছে সেই অবস্থা। দুই মানের জন্যও যেখানে লোককে appointment করা দরকার, তার ক্রমতাও Corporationএর হাতে রাখছেন না, তাঁরা নিজেদের ইচছামত নিজেদের লোককে immediately চুকিয়ে দিতে চান। কাজেই এই জিনিমের হারা তাঁরা ত lacuna দূর করছেন না বরং একটা obnoxious জিনিম স্কট করছেন। একজন বদি কোন কারণবনতঃ resign করেন তাহলে————

The Hon'ble Dr. BIDHAN CHANDRA ROY: আপনি ভূল করছেন, এখানে একজনই মাত্র Commissioner থাকবে।

8]. SIBNATH BANERJEE: ও, একজন মাত্র Commissioner থাকবে। তাহলে আবি-এই argument press করছিনা। কখনও যদি অচল অবস্থার স্পষ্ট হয় তাহলে Commissionerকে Governmentএর হারা নিযুক্ত করা যেতে পারে। কিন্তু অলপ সময়ের জন্য তার প্রয়োজন নাই। সেইজন্য আমি এটা oppose করছি। সুরেশবাবু এবং হেমন্তবাবু এর আগেও বলেছেন যে Government এই Corporationএর হাতে এতুটুকু ক্ষমতা দিতেও রাজী নয়। এবং আমিও বলছি যে, Government যাতে সমস্ত ক্ষমতা নিজেদের হাতে রাখতে পারেন, সেই দিকে দৃষ্টি রেখে এই আইন করছেন।

The short-notice motion of Sj. Charu Chandra Bhandari moved on the floor of the House as an amendment to the new clause 21A, moved by Sj. Sushil Kumar Banerjee that in line 3, for the words "State Government", the word "Corporation" be substituted, was then put and lost.

The question that the motion moved by Sj. Sushil Kumar Banerjee on the floor of the House that after clause 21, the following clause be inserted, namely:—

"21A. If any vacancy occurs in the office of the Commissioner on account of death, resignation or removal, the State Government may appoint another person to officiate as Commissioner in his place for a period not exceeding two months, pending the appointment of a Commissioner under section 19, sub-section (1)"

was then put and agreed to.

### Clause 22.

- **8].** KANAI LAL DE: Sir, I beg to move that clause 22(I) be omitted.
- I beg further to move that for clause 22(2), the following be substituted, namely:—
  - "(2) The leave and leave allowance of the Commissioner, his superannuation or retirement, his gratuity or pension and the proportions of his pensionary or provident fund contribution payable respectively from his salary and from the municipal fund shall be governed by the rules framed by the Corporation".

The motions were then put and lost.

Dr. SURESH CHANDRA BANERJI: তেপটি স্পীকার মহোদয়, আমার নতন কোন 🗪 বলবার নাই, যেহেড কমিশনার সম্বন্ধে সৰ কথাই বলে শেষ করেছি। এখন একবার এই কমিশনারের ব্যাপারটা কি হয়ে দাঁভাল সেই সময়ে Houseas সন্মধে সমন্ত pictureটা রাধতে চাই, ডা: রায় প্রাণ করতে চেরেছেন বে কমিশনারকে গভর্নেশ্ট appoint করনেও practically he will be an officer of the Corporation. আমরা তথ্য আপত্তি করেছিলাম-No, he will not only be appointed by Government but during the continuance of his service in the Corporation he will be in all matters controlled and regulated by Government এবং আমাদের সেই কথা যে সম্পর্ণ সত্য তা এপর্যান্ত যে সমস্ত বিভিন্ন clauses আমবা পাশ করেছি, সেগুলি সম্বন্ধে যদি আপনারা আলোচনা কবেন তবেই বঝতে পারবেন। Clause 19এ এই appointmentএৰ কথা বলা হমেছে তাতে দেখা যায় গভৰ্ণমেণ্টই তাঁকে appoint কৰবেন, তাৰ removal ও dismissale গভৰ্ণমেণ্টেৰই হাতে। গভৰ্ণমেণ্ট যে কোন মহর্ত্তে তাকে dismiss করতে পাববেন, এবং আমরা যা দেখতে পাচিছ তাতে Corporationএর পক্ষে তাকে dismiss কৰা প্ৰায় অসম্ভব। তাৰপার, তাঁর salary কি হবে তাও, সকল সময় State Governmetই ঠিক করে দেবেন। তা'ছাড়া তাঁব ছটি, service regulation, সব কিছুই ঠিক কব্ৰেন গভৰ্ণমেণ্ট, আৰু তিনি যে কাজ কৰবেন তাও গভৰ্ণমেণ্ট ঠিক কৰবেন--It is a disgrace to the whole Corporation অর্থাৎ Corporationএর তাঁর উপর কোন ক্ষমতাই থাকতে পারবে না তার চেয়ে একটা more disgraceful affair for the Corporation হতে পারে না। He is absolutely in the hand of the Government from the time of his appointment up to the end-তাৰৰেও আমরা তাঁকে বলছি—He is the chief executive head.

ভারপর এক ভারপার দেখা যাচেছ এই যে আইনটাব এবন আলোচনা চলছে, এই আইনটা পাশ হয়ে পেলে এটাকে কার্য্যে পবিণত করাব সমন্ত দায়িবই থাকৰে ভারই উপব। সুভরাং ভিনি not only executive head—এসম্বন্ধে ভিনি ছাভা আর কারো কোন ক্ষমতাই থাকৰে না। সুভরাং Councillorরা থাকলেও চলে, না থাকলেও চলে; তাদের পুক্ত পক্ষে কোন ক্ষমতাই থাকৰে না। তাদের মুখোস পরিবে মুভিদ্ধিপে বাড়া রাখা হয়েছে মাত্র। সুভরাং আমি আগেও বলেছি, এখনো বলছি—It is a diagrace for the whole town of Calcutta and it is one of the most reactionary Bills which any Government in this age can pass.

The question that clause 22 do stand part of the Bill was then put and agreed to.

# Clause 23.

**Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 23(I), lines 4 to 7, the words beginning with "but the Corporation" and ending with "Commissioner" be omitted.

I further beg to move that clause 23(3) be omitted.

Dr. SURESH CHANDRA BANERJI: ডেপুটি স্পীকার মহোদম, সমন্ত ক্ষতাই যে Commissionerএর হাতে তা ২০ ধারাম স্পাই করে বলা হরেছে, এই ধারাম আগের টুকুতে যা বলা হরেছে, তা বেশ তাল কথা—"Subject to the provision of this Act and the Rules, by-laws and regulations made thereunder the Municipal Government of Calcutta shall vest in the Corporation" এ কথাটা তাল, কিছ তার পরেই add করেছেল কি না "but the Corporation shall not be entitled to exercise or discharge any powers, duties or functions expressly assigned by or under this Act or any other laws to a standing Committee or to the Commissioner" আধাৎ সম্ব ক্ষতাই করপোরেশনের রয়েছে, কিছ বে সমন্ত ক্ষতা করিশনারকে পেওয়া হরেছে বে সমন্ত ক্ষতা করপোরেশন ব্যবহার করতে পারবে না। আগেই ব্যক্তি এই যে আইনটি হচেছ এটাকে কার্য্যে পরিপত্ত করবার সমন্ত ক্ষতা কনিশনারকে পেওয়া হরেছে। তার-পরে আবার স্থাই করে ববে সেওয়া হরেছে যে সমন্ত ক্ষতা কনিশনারকে পেওয়া হরেছে। তার-পরে আবার স্থাই করে ববে সেওয়া হরেছে যে সমন্ত ক্ষতা কনিশনারকে পেওয়া হরেছে। তার-পরে আবার স্থাই করে ববে সেওয়া হরেছে যে সমন্ত ক্ষতা কনিশনারকে পেওয়া হরেছে। তার-পরে আবার স্থাই করে ববে সেওয়া হরেছে যে সমন্ত ক্ষতা কনিশনারকে পেওয়া হরেছে। তার-পরে আবার স্থাই করে ববে সেওয়া হরেছে যে সমন্ত ক্ষতা কনিশনারকে পেওয়া হরেছে। তার-পরে আবার স্থাই করে ববে সেওয়া হরেছে যে সমন্ত ক্ষতা কনিশনারকে পেওয়া হরেছে।

কূর্পোরেশনের কোন হাত নাই। স্থতরাং এটা বাত্র একটা eye-wash ছাড়া আর কিছু হতে পারে না। হঠাৎ
নদেখনে বোধ হবে—কর্পোরেশনই পুকৃত ক্ষরতার অধিকারী, কিছু ভালো করে পড়লেই এই আইনের ধারাতে আর
কারো সন্দেহ থাকে না বে পুকৃত ক্ষরতা সব ক্ষিশনারের হাতে। তাকেই এক রক্ষর dietator করা হরেছে,
কিছু slave যদি dietator হরে দাঁড়ার তার কন হয় অতি ভয়ভর। কিছু ওরা করতে বাচেছন কি—নিজেরা ত'
dietator আছেনই আবার Corporation ও ক্ষিশনারকে করতে বাচেছন dietator।

তারপরে এদের আর একটা eye-washএর নমুনা। দেখুন এই clause 23র তিন নমর প্যারাটা পড়লে নোটামুটি ধারণা হবে যে কর্পোরেশনের ক্ষতা রয়েছে আনেক, কিন্তু "without prejudice to the generality of the provisions of sub-section (1), it shall be the duty of the Corporation to consider all periodical statements of receipts and disbursements and all progress reports and pass such resolutions thereon as it thinks fit". সেই sub-section সঙ্গে মিলিয়ে দেখলেই দেখা যায় যে আসলে কর্পোরেশনের কোন কিছুই করবার ক্ষমতা নাই। স্থতরাং আমরা দুংধের সহিত একথা বলতে বাধা হচিছ যে Corporationকে তার inherent right ধেকে বঞ্চিত করবার জন্যই আইনের এই ২৩ ধারাটা করা হয়েছে এবং এমনভাবে করা হয়েছে যে আপাত: দুইতে দেখা যায় সমন্ত ক্ষমতাই কর্পোরেশনের, কিন্তু কার্যাত: তার হাতে কিছুই দেওয়া হবে না। এরক্ষ একটা সর্বনাশা বিল কেউ conceive করতে পারবে না।

8]. HEMANTA KUMAR BASU: মাননীয় তেপুটি স্পীকার, যাঁরা গণতছে বিশ্বাস করেন তাঁরা সকলেই এই clauseগুলি যে কিরূপ গণতত্ব-বিরোধী তা এই বিলটি পড়ামাত্রই বুঝতে পারবেন। কিরিশানারের নিরোগ থেকে আরম্ভ করে এক একটা ধারা মতই এগিয়ে আসছে ততই দেখা মাচেছ এক একটা করে ক্ষমতা হরণ করে কর্পোরেশনের powerকে সীমাৰদ্ধ করে কি করে তাকে ক্ষমতার একেবারে বাইরে এনে দাঁড় করান বায়, তারই চেটা এই সমস্ত clauseএর হারা করা হচেছ। যে সমস্ত ক্ষমতা তাকে পূর্ববর্তী আইনের হারা পেওয়া হরেছিল, বর্ত্তমানের এই আইনের হারা তার সেই সব ক্ষমতা কেড়ে নেওয়া হচেছ। আরো একটা আশ্চর্ম্য কথা এই যে কর্পোরেশনের কর্ত্ত্বপুষ্ক সম্বন্ধে কোন সন্দেহ যদি জাগে তাহলে বেয়র গতর্ণমেনেটর কাছে সিদ্ধান্ত প্রহণের জন্য পাঠাবেন।

Municipal authority সম্বন্ধ যদি কোন সন্দেহ মনে জাগে তাহলে সে বিষয়ে কর্পোরেশন কিছুই বলতে পারবেন না, বলবেন গভর্গমেন্ট অর্থাৎ কোন ঝাঁক দিয়েই যেন ক্ষমতা কর্পোরেশনের হাতে বেরিয়ে না যায় সেই জন্য এই clauseগুলি আনা হয়েছে,—এরা মনে ক্রছেন মানুষের কোন বুদ্ধিগুদ্ধি নাই। এই সমস্ত clause এমন তাবে করা হচেছ যে, corporationএর কোন,ক্ষমতা থাকবে না। এটা অত্যন্ত মারাশ্বক হয়েছে। এই বলে আমি এই clauseটার বিরোধিতা করছি।

Sj. CHARU CHANDRA BHANDARI: এই ২০নং clauseটা হচেছ কর্পোরেশনের কি ক্ষমতা থাকবে সেই সম্পর্কে। এই সবদে ডা: মুরেশ চক্র বাানাজি যে সংশোধনী পুন্তাব এনেছেন তা আদি সমর্থন করছি। এখানে বলা হয়েছে "but the Corporation shell not be entitled to exercise or discharge any powers, duties or functions expressly assigned by or under this Act or any other law to a standing Committee or to the Commissioner" delete করা হোক। অন্য কথা বলবার আবে আমি Dr. Royএর দৃষ্টি আকর্ষণ করে বলছি যে, এটা বলার কোন পুরোজন হয় না যদি অন্য উদ্দেশ্য না থাকে। তথু যদি বলা যায় subject to the provisions of this Act the Municipal Government of Calcutta shall vest in the Corporation.

সৰ জিনিৰ বোঝা যায়। কারণ, এই বিলের মধ্যে কবিশনারকে ক্ষমতা দেওরা হয়েছে, দেখানেই তো জিনিষটা final হয়ে যাচেছ। এটা বলার কি পুয়োজন ? না বলে কিছু ক্ষতি হয় না। বারবার জারাদের একই কথা বলতে হচেছ যে, কর্পোরেশনের ক্ষমতা হরণ করা হচেছ এবং Calcutta Corporationএর মধ্যে একটা diarchy স্ক্রী করা হচেছ। কবিশনার এবং ক্সপোরেশনের মধ্যে কোন unifying authority নাই। এব উত্তরে সরকার পক্ষ থেকে বলা হচেছ Governmentএর যে ক্ষমতাই থাকুক না কেন ultimate ক্ষমতা Corporationএর আছে। যদি পুকৃতই এটা হোত তাহকে না হয় সহনীর হোত, কিছু ডা হচেছ না।

আৰার কথা হচ্ছে এই জিনিষ্টা বলার কোন আবশ্যকতা নাই। এর ছারা আবাদের ননে করিরে বেওরা ছচেছ—দেশ, তোনরা হস্তক্ষেপ করো না, এর অর্থ কি হর। একটা অর্থ হতে পারে যদি Corporationকে ultimate authority বলে বনে করা বার তাহ'লে কবিশনারকে যে ক্ষমতা দেওরা হরেছে সেই ক্ষমতা তিনি exercise করনেন বটে তবে সেই সংগে in the exercise of his powers or in the exercise of his functions he will be responsible to the Government.

এক জায়গায় কৰিশনাৰকে আপনাৱা সৰ্বোচচ ক্ষমতা দিচেছন, আবার একটা নৃতন clause—clause 28A যোগ করে বল্ছেন "in exercising his powers and performing his duties and function under this Act, the Commissioner shall conform to such rules." এই সমস্ত জিনিম যে বল্ছেন তাতে সংগতি কি থাকল ? এই portion আমার মতে থাকা উচিত নম—Dr. Banerji যেটা delete করতে বলেছেন সেটা delete করে দিন। এই clause হারা কমিশনারের উপর কর্পোরেশনের কোন ক্ষমতা থাকছে না। এই জিনিমটাই এখানে suggested হচেছ। অতএব এই portionটা বাদ দেওয়া যায় কিনা বিবেচনা করে দেখতে বলি। এটার কোন আবশ্যকতা নাই। এই কথা ব'লে আমি ডা: ব্যানাজির এই amendmentটা স্বাস্তঃকরণে সমর্থন করছে।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I think it was Janab Mudassir Hossain who said the other day that "মাত্র স্পেতে নারি তার চলন বিকা।" After hearing the speeches on this clause just now I am reminded of that saying. Sir, the position is this. Charu Babu has said "why should you put it there at all?" I am asked whether I believe in ganatantra. I do not think my friends opposite believe in ganatantra. All that this clause says is that all the powers are given to the Commissioner under this Act which is an Act of the Legislature, ganatantra. The legislature deliberately gives to him certain powers or a certain law passed by the legislature gives to the Commissioner certain powers. The legislature desires that the whole responsibility for the exercise of those powers should be on the Commissioner. There need not be any division of responsibility on this matter. Who gives the responsibility? The legislature, the Act, the law. My friend Charu Babu could not find out the difference between "exercise" and "discharge". You exercise certain powers and discharge certain duties and functions. That is the reason why the Legislative Department has gone to the extent of putting both the words there "exercise or discharge" powers, duties or functions.

Sir, with regard to the omission of sub-clause (3) my friend Dr. Banerji does not understand why it should be necessary, but if he had read the last sentence of that paragraph, he would have seen that it is stated there "and pass such resolutions thereon as it thinks fit." And if he had taken the trouble to see the next clause, clause 24, he would have found that the Select Committee had insisted that all resolutions passed by the Corporation shall be binding upon the Standing Committee and the Commissioner, and, therefore sub-section (3) is necessary under clause 23. If the Corporation under any circumstances desire that certain resolutions should be passed which would be binding on the Commissioner and the Standing Committee, they should do so, and, therefore there is that provision given. I know that the Corporation could see all the papers, accounts, etc., but we are empowering the Corporation, if they so desire, to pass certain resolutions, so that under section 24 those resolutions will be binding on the Commissioner and the Standing Committee.

With these words I oppose the amendments.

The motion of Dr. Suresh Chandra Banerji that in clause 23(1), lines 4 to 7, the words beginning with "but the Corporation" and ending with "Commissioner" be omitted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that clause 23(3) be omitted, was then put and lost.

The question that clause 23 do stand part of the Bill was then put and agreed to.

# Clause 24.

**Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 24, lines 3 and 4, the words and figures beginning with "unless such" and ending with "section 46 or" be omitted.

স্যার, আমার মত হচেছ clause 24 is even more dangerous than clause 23। Clause 23তে Corporationকে হাতে পামে বাঁধা হচেছ, তারপর 24তে বলা হচেছ যতই কাঁদ আমরা দেব না। সেটা কিতাবে বল্ছেন, "The Standing Committees and the Commissioner shall be bound by and shall give effect to every resolution of the Corporation unless such resolution is annulled by the State Government in exercise of its powers under section 46". কপোরেশন কোন resolution পাশ করলে শেই resolution নাকচ করারু অধিকার পর্যান্ত Government নিমেছেন। তেবে শেশুন, Sir, who can act like that—an elected body passing a resolution and the Government coming and saying that no effect will be given. অর্থাৎ এখানে Corporationকে অক্টোপানের মত আর্টেপ্টে বেঁধে যারা হচেছ। কাজে কাজেই এই 24নং clauseটার আমি বিরোধিতা করছি।

8j. CHARU CHANDRA BHANDARI: मानगीय एउ पुर्ति म्लीकात मरशामय, এই clauseहा সংযুক্ত করা হয়েছে এই বিলটা Select Committee থেকে আসাব পবে। এটা একটা নৃতন clause হয়েছে। পূর্বের claused यা ছিল দেটাকে re-cast করে এই clauseটা হয়েছে, এবং এর উদ্দেশ্য হচেছ বে, Government Standing Committee এবং Commissionerকে ধানিকটা Corporationএর অধীনে আনবার ব্যবস্থা করেছে। অধাৎ Corporation যে সমন্ত সিদ্ধান্ত করবেন সেই সিদ্ধান্ত অনুসাবে কাজ করতে তাঁর। বাধ্য থাকবেন। কিন্তু আবার সাবধান কবে দিচেছন যে, যে সমস্ত ব্যাপারে Commissioner এবং Standing Committee চূড়ান্ত সিদ্ধান্ত নেবেন সেগৰ ক্ষেত্ৰে Corporation যেন হল্তক্ষেপ না করেন। এখানে Governmentএর যে উদ্দেশ্য সেটা আমি সমর্থন করছি ধরে নেওয়া যাক। সমর্থন করলেও लंबा गारुष्ट् त्य, Government त्यलात्व वह clauseहात्क draft कत्त्राष्ट्रन, त्यहा क्रिक हम नाहे। কারণ যেভাবে draft করা হয়েছে তাতে দেখা যাচেছ যে Corporationএর Commissioner বা Standingৰ কাৰ্য্যের উপর হন্তক্ষেপ করবার কোন রকম ক্ষমতা নাই। যে সমস্ত matterd Commissioner ও Standing Committees decision final হবে, সেই সমস্ত matters Corporation কোন হস্তক্ষেপ क्तरण शांतरक ना। जांता यमि जांरमत कार्रगत गरका कान improper method, वा irregular procedure adopt করেন তাহলে তার বিরুদ্ধে Corporation কিছুই করতে পারবে না। Commissioner বা Standing Committee Corporationএর কথা অনুযায়ী কাজ করতে বাধ্য নয়, এখানে Government कि वनতে চান আমি বৃঝতে পারি না। Commissioner বা Standing Committee একটা final decision করতে গিরে যদি কোন improper বা irregular procedure প্রথ করেন নেখানেও কি কিছু বলবার ক্ষমতা Corporationএৰ থাকৰে না ? Corporation ultimately Governmentএর কাছে bound down হয়ে থাকবে for its proceedings কারণ Government তার power of supervision রাধছে। এই ক্ষতাও Governmentএর আছে শ্বীকার করি। কিছ Corporationএর যারা অধীনে, Standing Committee এবং Commissioner তারা independently work করবে এটা Government বলছেন, তাই যদি হয় তাহলে তাঁদের final decision করবার পূর্বে এমন অবছার স্ষ্ট হতে পারে যে সেখানে হয়ত তীরা কোন অন্যায় আচরণ বা বে আইনি কাজ করছেন তার বিষ্ণছেও Corporation त्कान resolution करत्र किंडू कत्ररू शांतरन ना। कात्रश clauseहै। य ভाषात्र draft করেছেন সেটা একটু দক্ষা করুন। বলা হরেছে, যে, "Standing Committees and Commissioner shall be bound by and shall give every resolution of the Corporation unless such resolution is annulled by the State Government in exercise of its powers under section 46 or unless such resolutions relate to a matter in which, under the provisions of this Act or the rules, by-laws and regulation made thereunder the decision of a Standing Committee or the Commissioner, as the case may be, is final " এবানে Corporationকে অন্তত: এইটুকু কমতা পেওমা উচিৎ, Government বেবানে কমতার অপব্যবহার বা বেআইনি কাছ করবেন সেবানে Corporationএর annul করবার কমতা থাকবে। কিছ তার আলে Commissioner বা Standing Committees বে procedure হবে, সে যদি বেআইনি হয়, improper হয় বা অন্য কিছু হয় before final decisionএ arrive করেন তাহলে দেখা যাম যে সেবানে - Corporationএর কোন কমতাই রইল না। অর্থাৎ যে সমন্ত matterএ Standing Committee এবং Commissioner অন্যাম decision দেবেন সেবানেও Corporationএর কিছু বন্বার থাকলো না। এটা সাংঘাতিক বাপোর। এই clauseটা যদি এই রকম থেকে যাম তাহলে Corporationএর কোন কমতা থাকবে না Standing Committee বা Commissionerএর বিক্তরে কিছু বন্বার। স্কুডমাং Standing Committee এবং Commissioner, Corporationএর কথা অনুযামী কাল করতে বাধ্য থাকবেন এই কথান্তনি যদি Government ব্যব্যার করতেন তাহ'লে ভাল হত।

Sj. HEMANTA KUMAR BASU: মাননীয় ডেপুটি স্পীকার মহোদয়, আমাদের বাংলায় একটা প্রাদ আছে, "যাকে দেখতে নারি তার চলন বাঁকা"। আমাদের মুখ্য মন্ত্রী মহাশয়েরও তাই হয়েছে, কারণ তিনি Corporationকে দেখতে পারেন না, তাই তার সব কিছু বাঁকা দেখছেন, এবং মনে করছেম Corporationএব যা কিছু আইন করা হবে তা সমস্ত ঐ রকমভাবে বাঁকা আইন করতে হবে।

আমি ভানি এবং মুখ্য মন্ত্রী মহাপায়ও নিশ্চর জানেন যে, সমন্ত issueর উপর নির্ভর করে আমর। ১৯৪৫ সালের নির্বাচনে নির্বাচিত হয়েছিলাম। আজ যদি গত electionএর, সেই সমন্ত issueর উপর কোন আইন হয়, তা গতপ্রেণ্ড মনে করেন গণতজ্ঞবিরোধী। কিন্তু গণতান্ত্রিক আইন তাকেই বলে, যে আইন দেশের ও জনসাধারণের মঙ্গলের জন্য তৈরী হয়। বর্তমান গতপ্রিমেণ্ট তাঁদের majorityর হারা বহু আইন তৈরী করছেন সত্য; কিন্তু সেগুলি ঠিক গণতজ্ঞ নয়। কারণ কলিকাতার নাগরিকরা এই আইনের বিক্তমে কি মত্তপুকাশ করছেন, সেটা আপনারা সকলে জানেন। আমরা চেয়েছিলাম এই বিলাটকে জনসাধারণের কাছে পাঠাতেতাদের মত পুহণের জন্য, কিন্তু আপনার। তার কিছুই করলেন না। সেই জন্য আমি বলছি এটা সম্পূর্ণ গণতজ্ঞ-বিরোধী।

পুত্যেক দেশে, অন্যায়ভাবে এই রকম আইন করবার সময় জনমত যদি তার বিরুদ্ধে পুবল হয়ে উঠে তাহ'লে সেই আইন করবার সময় দেশে একটা নুতন নির্বাচন করেন। সেই জন্য আমি বলছি আপনার। যে আইন প্রণয়ন করছেন সেটা সম্পর্ণ গণতপ্রবিরোধী।

চাৰুবাৰু যে কথা বলেছেন আপনার Corporationএর ভিতর একটা triarchy স্ট করছেন তা ঠিক। আপনারা Standing Committee, Commissioner এবং Corporationএর মধ্যে একটা ঝণড়া বাঁধিরে দিচেছন। কারণ, Commissioner বা Standing Committeeর মেস্বর থাঁরা হবেন, তাঁরা গভর্ণমেন্টের পেরারের লোক, আর কর্পোরেশন Commissionerএর তাঁবেদার হবেন। স্নতরাং এতে দেখা যাচেছ যে, গভর্পমেন্ট যদি মনে করেন বে কোথাও তাঁদের মত অনুসারে কাজ হচেছ না, তাহলে সেবানে গভেশমেন্ট হস্তক্ষেপ করতে পারবেন। এবানে বলা হচেছ বে Standing Committee যদি Corporationএর একটুও ঝুত বের করতে পারে তাহলে, Corporationএর সমস্ত resolutionরকে annul করে দিয়ে আপনাদের যা বত তাই রাধ্যেন।

্এই clauseট অত্যন্ত নারাদ্ধক ও গণতন্ত্রবিরোধী এবং এতে জনসাধারণের নাগরিক অধিকার ক্ষুণু করা হচেছ। সেইজন্য আমি এই clauseএর বিরোধিতা করছি।

Janab MUDASSIR HOSSAIN: Sir, I have listened carefully to the speeches that have been delivered by our friends to the east. Now, Sir,

the Corporation was there and the Corporation was superseded, and this Bill is being enacted now for the betterment of the administration of the Corporation.

Now, Sir, who are responsible for this bad state of affairs in the Corporation and who are responsible for the supersession of the Corporation? It is the Councillors who are responsible. What was the nature of these persons? In the words of a contemporary British poet, they (the outgoing councillors) were the stuffed men, they were the hollow men, shape without form, shade without colour, paralysed force, gesture without motion.

Sir, these were the qualities which rendered the Corporation invalid and it could not function as was expected. My friends on that side are eulogising the services that were rendered by the late Sir Surendra Nath Banerjee. Sir, I quite admit that his services in this respect were highly commendable, but he placed powers in the hands of such persons who had no experience in the matter and they indulged in nepotism and jobbery and were unworthy of the powers that were placed in their hands. Sir, this means that they practically widowed the Corporation by the excesses of the Councillors. The Councillors were the husband of the Corporation and the Corporation was the wife. The Corporation was bled white by their excesses.

# Mr. DEPUTY SPEAKER: You just come to the clause itself.

Janab MUDASSIR HOSSAIN: Yes, I am coming to that but I have got to make a background. Now, Sir, these persons are negotiating the remarriage of the widowed Corporation and trying to place it in the same position in which it was before. Therefore the performance of my friends over there reminds me of an Urdu saying, বুড়িয়াকা নেকাৰে শত শতৰাত্যা I It means, when an old woman wants to remarry a thousand and one obstructions are placed before her. So my friends on that side want to invest the Corporation with all the powers and responsibilities. But that power has been misused and must be regulated by the laws and regulations and byelaws which will be enacted by the Corporation itself. Therefore I think there is no substance in the arguments behind these amendments, and these amendments should be rejected.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I have to appeal again to the members of the opposition to try and read the Bill a little more sympathetically. I have no grievance against the Corporation that is to be nor is it that the present Government or the present Ministry will have anything to do with the future Corporation but the whole position is this. This section has three clauses; one is that the Corporation will frame certain resolutions which will be binding on the Standing Committees and the Commissioner. I hope there is nobody who opposes that power. The second part of the section is that if, however, those resolutions are annulled by the State Government, under section 46 such annulled resolutions need not be given effect to by the Commissioner or the Standing Committee. I am glad to see that Mr. Charu Chandra Bhandari has appreciated that position which Dr. Suresh Banerji has not, namely that the annulment of the resolutions of the Corporation can only take place under certain conditions. Dr. Banerji has argued that such an interference did not happen even under British Government. Probably he has not read the existing Act of 1923. The present clause is a reproduction of section 19 of the present Act. Therefore there is no new provision that has been put in there. The question is that if a particular resolution has been annulled, can the Commissioner or the Standing Committees be bound to follow the resolution which has been so annulled. I have experience of the things that happened in the

past when the Corporation did pass resolutions which were annulled by the Government of those days and yet the Corporation insisted upon the Chief Executive Officer to follow it and not to follow the direction of the State Government.

Sir, the third point that is mentioned there is that if there is any final power given under the Act to the Commissioner or the Standing Committee, then the Corporation should not pass a resolution which would affect that. The reason for that, as I have mentioned several times today, is that whenever we want to give responsibility to any particular person or persons, we desire that that person or persons should know that the responsibility is on them and if they do not discharge that responsibility, they will be brought to book. But my friend Sj. Charu Chandra Bhandari says "Yes, the decision is final, but supposing, in the process of arriving at the decision, the Commissioner or the Standing Committee do any work which is against rules or bye-laws, etc., etc., or is illegal"—the word he used was "illegal"—"then what would happen?" I should say that this is not merely in this section but in any section of this Act that whenever any of the employeeswhether he be a Commissioner or any of the persons or authorities working under the Corporation-goes beyond the law, takes any step which is illegal, it is open to the Corporation to pass a resolution and even to ask for the discharge of the Commissioner or the person concerned—a provision which has been made in the Bill.

Sir, while my friends opposite have applied their full force against the provision that refers to the Commissioner, I hope they have not got the same resistance to the provision regarding Standing Committees. After all, what are the Standing Committees? They are composed of Councillors, they are elected by the Corporation and, therefore, they are entirely a portion of the ganatantra—if you want to use that expression. Therefore, if they are given certain powers, surely you do not want that the Corporation which is a bigger body should, under any pretext whatsoever, act in a way which is against the provisions of the Act or any law giving final power to the Standing Committees.

Sir, with these words I oppose the amendments that have been moved.

The motion of Dr. Suresh Chandra Banerji that in clause 24, lines 3 and 4, the words and figures beginning with "unless such" and ending with "section 46 or" be omitted, was then put and a division taken with the following result:—

#### AYES-8

Bandyopadhyaya, 8j. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, 8j. Hemanta Kumar Bhandari, 8j. Charu Chandra Choudhury, SJ. Ananda Prosad De, SJ. Kanai Lai Ghose, SJ. Bimai Comar Ghose, Dr. P. C.

#### NOE8-46

Abduliah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
'-', Sj. Radha Nath
Das, Gupta, Sj. Khagendra Nath
Dass, Sj. Kanailal
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahmen, Janab

Gomes, Mr. D.
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Mahammad Kased Ali, Janab
Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mandal, Sj. Krishna Prasad
Mandal, Sj. Krishna Prasad
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hessain, Dr.

Ricketts, Mrs. E. M.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Math
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Zaman, Janab A. M. A.

The Ayes being 8 and the Noes 46, the motion was lost.

The question that clause 24 do stand part of the Bill was then put and agreed to.

## Clause 26.

The question that clause 26 do stand part of the Bill, was then put and agreed to.

#### Clause 27.

The question that clause 27 do stand part of the Bill, was then put and agreed to.

# Clause 28.

- 8J. CHARU CHANDRA BHANDARI: Sir, I beg to move that for clause 28 the following be substituted, namely:—
  - "28. The Commissioner shall be the principal executive officer of the Corporation, and all other officers and servants of the Corporation shall be subordinate to him."

I further beg to move that the following proviso be added to clause 28, namely:—

"Provided that in the exercise of his powers and in the performance of his duties, the Commissioner shall be responsible to the Corporation."

মাননীয় ডেপুটি স্পীকার মহাশয়, এই যে ২৮নং clauseটার যে আলোচনা হচেছ এটাতে আছে কমিশনারের ক্ষমতা সম্পর্কের ব্যাপার। কমিশনারকে কি ক্ষমতা দেওয়া হয়েছে তা এখানে আছে।

আমার দু'টো সংশোধনী প্রভাব এ সম্পর্কে রয়েছে। একটা হচেছ আমি বলতে চাই—কমিশনার হইবেন Principa Executive Officer এবং অন্যান্য officerরা, servanteর স্বাই হবেন তাঁর অধীনে কর্মচারী।

ছিতীয় কথা আর একটা বলতে চাই, যদি clauseটা থাকেও তাহলে একটা proviso তাতে যোগ করে দিতে চাই। Commissionerএর হাতে তো সমস্ত executive power দিয়েই দিরেছেল কিন্তু কমিশনাবই সম্পূর্ণ authority নয়, তাঁরা এটা in so many words এথীকার না করলেও তাঁরা খীকার করেন Commissioner should be responsible to the Corporation, এবং এইটা একটু ম্পষ্ট করে এই provisocত বলা হয়েছে। এটা অতি innocent কথা। যা তাঁরা নিজেরা খীকার করেছেল সেটাই আমি explicitly বলতে চাই। এতে কোন আগত্তির কারণ থাকতে পারে না। কমিশনার যে একটি independent authority নস, তিনি যে একটি officer of the Corporation একথা বদি না বলা হয় তাহলে এই কমিশনার তাঁর কাজের জন্য will be responsible to the Corporation.

যে Council Manager Plan স্থামর। গ্রহণ করেছি। এই বিলে, in the Municipal Bill of Calcutta সেই plands বড় কথাটা ক্রচেছ যে এটা responsible থাকবে।

Executive function এবং Administrative functionএর responsibility থাকৰে Commissionerএর। Commissioner responsible থাকৰেন Corporationএর কাছে। এই ব্যবহার জনাথা হ'লে Corporationa diarchy কট হলে। অতএব আনি বে amendment দিবছি তার আর্থ

আতি সুন্দাই। যদি এই না হয় তাহ'লে Corporation কি খাকল ? কিছুই থাকল না, Corporationএর সময় ক্ষমতা হরণ করা হয়ে পেল। এখন বা দেখা মাতেছ তাতে বনমহোৎসব, গাছ পোতা ইত্যাদি ছাড়া কর্পোরেশনের কোন ক্ষমতাই থাকল না। Corporationএর ceremonial function ছাড়া কিছুই থাকল না। অতএব আমি পুনরার বল্ছি কমিশনারকে যদি কর্পোরেশনের একজন officer হিসাবে শ্বীকার করা না হয় তাহ'লে কর্পোরেশনের মধ্যে হৈত শাসন প্রবর্জন করা হবে।

8j. HEMANTA KUMAR BASU: স্যার, এখানে বে সংশোধনী প্রন্তাব করা হয়েছে তা অতি simple ও সরল। সরকারের এই প্রন্তাব প্রহণ করা উচিৎ। Leave, ছোট চাকরীর ব্যাপারেও যদি Corporationএর কোন ক্ষযতা না থাকে তবে যাবতীয় কান্সের জন্য Governmentএর নিকট চুটাচুটি কবতে হবে। এই সমন্ত বিবেচনা করে আশা করি সরকার এই সংশোধনী প্রন্তাচী বেনে নেবেন।

Dr. SURESH CHANDRA BANERJI: মাননীয় স্পীকার স্যার, চারুবাবুর এই সংশোধনী পুত্তাব আমি স্বান্তকরণে সমর্থন করছি। তথু সমর্থনই করছি না, এইকপ স্থন্স্পষ্ট ভাষায় সংশোধনী প্রস্তাব আনার জন্য তাঁকে ধন্যবাদও জানাচিছ। কারণ, এই প্রস্তাবের হারা Government কর্পোরেশনে গণতত্ব চান 🗣 না চান তা স্পষ্টভাবে বোঝা যাবে। What is গণতত্ব গণতত্বের নানা সংজ্ঞা নানা লোকে দিয়েছে : কিন্তু একটা সংজ্ঞা সকলে মেনে নিয়েছে ৷ সেটা হচেছ, "Democracy is for the people, of the people and by the people''। এখন পর্যান্ত কেউ এই কথার পতিবাদ করেননি। People নিজের will rule in the Corporation through the Councillors but Councillors cannot function every day. Therefore, they will function through the Commissioner or the Chief Executive Officer তবে কমিশনারকে Councillorদের ছারা নিযক্ত হতে হবে। এবং কমিশনার Councillorদের নিকট তাঁর কাজের জন্য দায়ী হবেন। এই জিনিঘটা যদি পবিপর্ণ না হয় তবে কর্পোরেশনে গণতম্ব হয়েছে একথাটা পরিকারভাবে বোঝা যায় না। জামি এই কয়দিন বারবার বলেছি যে কমিশনার Councillorদের হার। নিযুক্ত হতে হবে এবং চারুবাব বলেছেন Commissioner shall be responsible to the Corporation, that is, to the Councillors or to the Corporation. অতি স্থন্দর ও সহজ্ব ভাষায় চারুবাবু সব কথা বলেছেন। আমি Governmentকে অনুরোধ করি যদি Government Corporation পুক্তই গণতর ও জনগণের শাসন চান তবে তাঁরা যেন চারুবাৰর এই দ'টি সংশোধনী পস্তাৰ গৃহণ করেন। যদি চারুবাৰর এই সংশোধনী পস্তাৰ দ'টি তাঁর। গৃহণ করেন তবে স্বাই বঝতে পারবেন্যে Government জ্বনগণকে তাঁদের ন্যায়সংগত অধিকার খেকে বঞ্জিত করে নিজেদের হাতে ক্ষমতা নিচেছন না। তাই আমি অনরোধ করি তাঁর। যেন চায়বাবর সংশোধনী প্রভাব দৃটি প্রহণ করেন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I again repeat what I have said many times today that my friends opposite have not done us the honour of reading the Act or the Bill. It has been said repeatedly and I suppose repetition gives them the conviction that what they say is correct. They have said repeatedly that the powers of the Corporation are taken away. Read section 19(4), which says that in any work that the Commissioner desires to do or is about to undertake outside of what is provided in the Act he has to take the permission of the State Government and of the Corporation. If he is independent of the Corporation as is thought by some why should we make the provision—that we have actually made in the Bill—that he should also take the permission of the Corporation. But with regard to those duties and powers which are mentioned in the Act itself or in the bye-laws and so on, it is said that he will be the principal officer, who is given the responsibility of executing the provisions of the Act, and, as I have said before, of carrying into effect all the resolutions that the Corporation may pass. The Corporation will in the natural course lay down certain policies from time to time and pass resolutions also which, apart from the duties that are cast upon the Commissioner under this Act, the Commissioner is to follow. So why is it being repeated every time that the Corporation has no powers. It is said that he has got to carry out the

resolutions that are taken by the Corporation. Sir, the difference between Charu Babu's language and the language in the Act is apparent. My friend Dr. Banerji says that Charu Babu's language is perfectly simple. Yes, it is simple but it has a very great defect and that is this. You must put down in this exactly what you mean by the Commissioner being responsible to the Corporation. Here in the language of the Act it lays down the directions, the way in which the Commissioner would be responsible to the Corporation. It is said in the proviso which has been proposed by Charu Babu "Provided that in the exercise of his powers and in the performance of his duties, the Commissioner shall be responsible to the Corporation". Sir, if you read section 28A there you will find exactly the same thing that Charu Babu wants but in the legal language, namely "that in exercising his powers and performing his duties and functions under this Act the Commissioner shall conform to such rules if any as may be made by the Corporation relating to matters in respect of such powers duties and functions. Sir, here the word "responsibility" has been put in clear language as to what is the responsibility the Commissioner owes to the Corporation, namely, in the exercise of his powers duties and functions he has got to abide by the rules framed by the Corporation with respect to those powers duties and functions. This clause 28A was put in by the Select Committee after a great deal of consideration and I submit, Sir, with great respect that these clauses 28 and 28A express the idea which my friend opposite seems to express but could not express in the proper language but we have expressed it in the proper legal language. With these words, Sir, I oppose both the amendments.

- Mr. DEPUTY SPEAKER: I see in the amendment No. 80 of Sj. Charu Chandra Bhandari certain portion namely "and all other officers and servants of the Corporation shall be subordinate to him" which portion may be omitted inasmuch as clause 35 says that "all municipal officers and servants shall be subordinate to the Commissioner". Such being the case shall I take up clause 35 now or put the above amendment without the portion "and all other officers and servants of the Corporation shall be subordinate to him".
- 8j. CHARU CHANDRA BHANDARI: I see your point and I agree to your putting my amendment without the portion "and all other officers and servants of the Corporation shall be subordinate to him".

The motion of Sj. Charu Chandra Bhandari that for clause 28 the following be substituted, namely:—

"The Commissioner shall be the principal executive officer of the Corporation,"

was then put and lost.

The motion of Sj. Charu Chandra Bhandari that the following proviso be added to clause 28, namely:—

"Provided that in the exercise of his powers and in the performance of his duties, the Commissioner shall be responsible to the Corporation",

was then put and a division taken with the following result:-

AYES-7

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra

Choudhury, Sj. Ananda Prosad De, Sj. Kanai Lai Ghose, Sj. Bimai Comar

#### NOE8-46

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushii Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass, Sj. Kanalial
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Mahammad Kased Ali, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati

Majumdar, The Hon'ble Bhupati
Mai, 8j. Iswar Chandra
Mandai, 8j. Bankubehari
Mandai, 8j. Krishna Prasad
Mandai, 8j. Umesh Chandra
Misra, 8j. Sowrindra Mohan
Mohammad Hossain, Dr.
Mudassir Hossain, Janab
Murarka 8j. Basantiai
Naskar, 8j. Ardhendu Sekhar
Naskar, 7he Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pentony, Mr. L. R.
Platel, Mr. R. E.
Pramanik, 8j. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Ricketts, Mrs. E. M.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, 8j. Jajneswar
Roy Sarkar, 8j. Birendra Nath
Roy Singh Sarker, 8j. Satish Chandra
Shamsui Huq, Janab
Sinha, The Hon'ble Bimai Chandra
Zaman, Janab A. M. A.

The Ayes being 7 and the Noes 46, the motion was lost.

The question that clause 28 do stand part of the Bill was then put and agreed to.

(At this stage the House was adjourned for 25 minutes.)

(After adjournment.)

Clause 28A.

The question that clause 28A do stand part of the Bill was then put and agreed to.

Dr. SURESH CHANDRA BANERJI: Sir, before we parted for the recess we called a division on amendment No. 81 which you put to vote. But clause 28 has not been put to vote.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Yes, it was put to vote and agreed to.

Mr. DEPUTY SPEAKER: I distinctly remember that I put clause 28 to vote.

Clause 29.

8j. CHARU CHANDRA BHANDARI: স্যার, এই clauseটা ঘচেছ কবিশনারকে আরও ক্ষরতা দেওরা সন্ধরে। এই clauseটা আমি omit করতে বল্ছি, কারণ, Corporation ইচ্ছা করনে কমিলারকে ক্ষরতা delegate করতে পারবে এটা বলা অনাবশ্যক। আমি বল্তে চাই Corporationএর বে ক্ষরতা আছে সেটাই কবিশনারকে বানতে হবে। এটার উদ্দেশ্য অতি স্কুম্পট। এই বনে আমি এই clauseটা oppose করছি।

The question that clause 29 do stand part of the Bill was then put and agreed to.

Clause 30.

**Sj. CHARU CHANDRA BHANDAR!:** Sir, I beg to move that in clause 30(I), in line 5, after the words "the Committee" the words "with the previous sanction of the Corporation" be inserted.

ন্যার, এই clauseটাতে আছে

"In any case in which it is provided by this Act or the rules, by-laws and regulations made thereunder or any other law that the Commissioner shall take action subject to the approval, sanction, consent or concurrence of a Standing Committee, the Committee may, by a resolution in writing, authorise the Commissioner to take action in anticipation of such approval, sanction, consent or concurrence, subject to such conditions, if any, as may be specified in such resolution."

এখানে আমার ৰক্তবা হচেছ কমিটির এই ক্ষমতা থাকা উচিৎ নয়। তবে কমিটি যদি অবস্থা বিশেষে মনে করে formal sanction দেওরা দরকার তবে তা দিতে পারবে with the previous sanction of the Corporation. এমনিতেই এই বিনে কমিশনারকে যথেষ্ট ক্ষমতা দেওরা হয়েছে, তারপর আবার এই clause বারা Standing Committee কর্ত্বক কমিশনারকে ক্ষমতা delegate করা উচিত নর। আগে বেন কর্পোরেশনের sanction নিয়ে কমিশনারকে authorise করা হয় এইটাই আপনার। করুন।

The motion of Sj. Charu Chandra Bhandari that in clause 30(1), in line 5, after the words "the Committee" the words "with the previous sanction of the Corporation" be inserted was then put and lost.

The question that clause 30 do stand part of the Bill was then put and agreed to.

#### Clause 31.

- 8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that for clause 31 the following be substituted, namely:—
  - "31. Subject to the control of the Mayor, all records (including in particular all papers and documents connected with the proceedings of the Corporation, Standing Committees and other Committees) shall be in the custody of the Commissioner. He shall arrange for the performance of such duties relating to the proceedings of the said bodies as they may respectively impose."

স্যার, এই বিলের হারা Councillorকের record দেখবার ক্ষমতা অত্যন্ত সন্ধোচিত করা হরেছে।
এবং এই clauseটা Councillorকের পক্ষে অপমানজনক ও আছসন্মানহানিকর। কারণ, কমিশনার ইচছা
ক্ষমতে কোন Councillorকে record দেখতে নাও দিতে পারেন। আমি বস্ছি it is no part of the
administrative functions of the Corporation এবং এই জিনিঘটা Mayorএর controla
ভাকা উচিৎ। এখানে আমি subject to the control of the Mayor \*

এই জিনিঘটা add করতে বনৃদ্ধি কারণ, তা না হলে এটা Councillorদের পক্ষে অত্যন্ত অপমানজনক হয়। জামার এই amendmentটা অত্যন্ত স্থুস্পট, আপনাদের এটা গ্রহণ করতে আপত্তি থাকা উচিৎ নয়।

8]. HEMANTA KUMAR BASU: স্যার, আমি চারুবাবুর এই amendmentটা স্মর্থন করছি। আমার মনে হয় সরকারের, এটা প্রহণ করতে কোন আপত্তি থাকা উচিৎ নর। Councillor অনুসাধারণের নির্বাচিত প্রতিনিধি; তাঁদের যদি কাগজপত্র দেখবার জন্য কবিশনারের অনুযোদন নিতে হয় তবে সেটা তাঁদের পক্ষে অপমানজনক হয়। সেই জন্য আমি বনছি চারুবাবুর সংশোধনী প্রতাবটা আপনার। বনে নিনু।

The motion of Sj. Charu Chandra Bhandari that for clause 31 the following be substituted, namely:—

"31. Subject to the control of the Mayor, all records (including in particular all papers and documents connected with the proceedings of the Corporation, Standing Committees and other Committees) shall be in the custody of the Commissioner. He shall arrange for the performance of such duties relating to the proceedings of the said bodies as they may respectively impose."

was then put and lost.

The question that clause 31 do stand part of the Bill was then put and agreed to.

# Clause 32.

- 8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that for the second proviso to clause 32, the following be substituted, namely:—
  - "Provided further that the Commissioner shall not have power to act under this section unless the state of emergency in the matter concerned is decided upon or approved by the Mayor and if the expenses for the execution of the work or doing the act is, in his opinion, likely to exceed ten thousand rupees."

এই যে clause 32, এটা হচেছ, যে যদি কখনও emergency বা জন্মরী অবস্থার উত্তব হয়, তাহনে সেই সময় কার্যাকরী সম্পর্কে একটা জিনিম আমি গভর্গবেণ্টকে অবহিত হতে বলছি। তাঁরা ভাল করে অবহিত হোন। দুইটা Corporationএর দু'টা sphere, একটা হচেছ legislative, policy-making power, আর একটা হচেছ administrative. আচছা দেখুন কোন emergency অবস্থার উত্তব হ'লে, সেই সময় যদি কাল্প করতে হয়, তাহ'লে সেই কাল্প করাটা Administrative functionএর নথ্যে পড়ে। একটু ভাল করে চিন্তা করে দেখুন এই যে emergencyর উত্তব হয়েছে, এটা কোনক্ষেত্রে emergencyর উত্তব হয়েছে, কোনঅবস্থা বিবেচনা করে হয়েছে, সেটা কোন functionএর নথ্যে পড়ে। একটা legislation হচেছ, সেখানে সংখ্যাধিকের জোরে অনেক জিনিম পাল করে নেওয়া যায়; কিন্তু কোন কিছু করতে গেলে বিবেচনা করে করা উচিৎ।

Commissioner के टेलिपर्द नमञ्ज executive कमजा पिरमहान । किन्न, जामना जारू नामी नहे । किन्न কোন অবস্থাম, এই policy-making power जाँब शास्त्र ছেড়ে দিচেছন ? यात्रा democracy जानवारन वा यात्रा Corporation এর administration गन्नर्स्क वृद्धि-विरवहन। करत्र काख कत्ररूष यारवन, छात्रा वनरवन এই policy-making power বা legislative power, কোন রক্ষেই Commissionerএর হাতে দেওমা উচিৎ নয়। কোপাও emergency হবেছে কি না হমেছে, তার responsibility Corporationএর, Corporation এর হাতেই তার বিচার করবার ভার দেওয়া হোক। If the Corporation be not meeting এমন একটা জরুরী অবস্থা স্বষ্টি হয়, যখন Corporationএর মিটিং ডাকবার সময় নেই, এই অবস্থায় এই প্রু-ন উঠতে পারে যে সেটা বিচার কে করবে। যিনি head of the Corporation তিনি হচেছন মেয়র অতএব আমার প্রস্তাব হচেছ এই যে জরুরী অবস্থা বা emergency অবস্থা উত্তব হয়েছে কি না, সেই জিনিঘটা বিচার করবেন মেয়র on his initiative. এই জिनिष्ठा यपि ना वरनन जार'रन Commissioner जात कार्ष्ट निरवपन कत्ररज পারেন যে এখানে emergency অবস্থা উত্তৰ হয়েছে এবং তাঁর approval ছাড়া যেন কোন কিছু স্থির না হয়। এটা অত্যন্ত ন্যাযা, সমীচীন ও যুক্তিযুক্ত কথা। এবং এ যদি না হয় তাহলে এক সঙ্গে policymaking power ও emergency অবস্থা স্থির করবার ভার Commissionerএর হাতে পেওয়া উচিৎ নয় এবং এই বে provision করা হয়েছে সেটা অত্যন্ত dangerous. এটা যদি হয় তাহলে যথন জন্মরী অবস্থার উত্তব নেই অথচ সেই সময় জরুরী অবস্থা বলেন, তবন estimate sanction না করেই, tender call না করেই, এক হাজার টাকার কাজে ১০ হাজার টাকা খরচ করে দিতে পারেন। এমন কি ৫০ হাজার টাকা পৰ্যান্ত তিনি ধৰচ কৰে দিতে পাৰেন। এই বকৰ নাংবাতিক কৰতা Commissionerএর হাতে পেওৰ। 33

হচ্ছে, in the name of emergency. এই emergency অবস্থান একটা solutionএর অন্য আৰি বে কথা বলেছি অৰ্থাৎ বা হয়েছে সেটা decide করবেন বেরর, অথবা তাঁর approval নেওয়া হবে। স্বভরাং আয়ার এই নিবেদন বে আয়ার এই নংশোধনী প্রভাবটা গৃহীত হোক।

- 8j. HEMANTA KUMAR BASU: নাননীয় ডেপুটি শ্লীকার বহানয়, বেয়র যখন corporationএর হারা নিবর্ণটিত হবেন এবং যার উপর কলিকাতার নাগরিকদের শুদ্ধা থাকবে, এই রক্ষ একজন বিশাসভাজন ব্যক্তির উপর এই দায়িছ ছেড়ে দেওয়া উচিত। যে কর্মচারী নিযুক্ত হবেন Governmentএয় হারা, তার উপর এই দায়িছ ছেড়ে না দিয়ে যিনি supreme head of the corporation, Mayor, তাঁর হাতেই এই emergency অবস্থার উত্তর হয়েছে কি না তা বিচার করবার তার দেওয়া হোক। সেই জন্য আমি মনে করি যে এই amendmentটা খুব যুক্তিসংগত এবং এটা সরকারের গ্রহণ করা উচিত; আমি আশা করি Mayorএর ক্ষমতার উপর Government হস্তক্ষেপ করবেন না।
- 8j. KANAI LAL DE: চাৰুৰাৰু যে সংশোধনী পুত্ৰাৰ উথাপন করেছেন সেটা সরকারের পক্ষে গ্রহণ করা উচিত। নূতন Act অনুসারে বিনি বেররের পদে নিযুক্ত হবেন, তিনি ৭৫ জন নির্বাচিত কাউন্সিলরদের হারা সেই বৎসরের জন্য নির্বাচিত হবেন এবং আগরা ধরে নিতে পাঁরি যিনি এই পদে নিযুক্ত হবেন, তিনি কলিকাতার একজন দায়িছশীল ও responsible ব্যক্তি হবেন। স্নতরাং এই মেয়রের উপর এই সমস্ত ক্ষমতা ছেড়ে দেওয়া উচিত, তা না হ'লে তাঁর উপর অবিচার করা হবে।

Bengal Municipal Act জনুসাবে municipalityর যা কিছু emergency কাজ তা সেধানকার chairman করেন এবং এই নিমন district boardএও follow করা হয়। Municipal chairmanই emergency হয়েছে কি না তা বিচার করেন। Emergencyতে তিনিই সব কাজ করেন, এবং পরে মিটিং ক'রে বেছরদের দিয়ে সেটা sanction ক'রে নেন। এই Mayor councillortrর হারা নির্বাচিত হন, মুতরাং এই বেররের উপর এই কান্সের ভার ছেড়ে দেওয়া উচিত। তাঁকে overthrow ক'রে বা ignore ক'রে কাজ করনে, তাঁর পক্ষে অবিচার করা হয়। জানি না কোন তাগারান ব্যক্তিকে এই commissionerএর পক্ষে নিয়োপ ক'রে, তাঁকে এত কমতা দিচেছন। এবং এটা মনে নাবা দরকার যে এই ভাগারান ব্যক্তিও হয়তো অনেক সময় দরকার হ'লে এই সরকারকে কাঁকি দিতে পারে। কারণ সরকারের বে ক্ষতা তা চিরকাল একই ভাবে থাকরে, বা তার policy একই ভাবে চনবে তা নয়, মুতরাং এত ক্ষয়তা একজনের হাতে দেওয়া উচিত নয়। তা যদি দেওয়া হয় তা হলে কনিকাতা নাগরিকদের জত্যন্ত স্বার্থহানি করা হবে। কনিকাতার নাগরিকরা দুই কোটি টাকার উপর Corporationকে দিচেছ এবং ৭৫ জন কাউন্সিলরকে তাঁরাই নির্বাচন করছেন, অথচ এই কাজের ভার দেওয়া হচেছ সরকারের নিযুক্ত একজন কর্ম্বচারীর উপর।

আমাদের অভিন্ততা থেকে দেখছি যে বিদেশী সরকারের অপকর্মের বিদ এখনও অনেক কর্মচারীর বব্যে রেরে গেছে। আধীন দেশে বেসমন্ত নৃতন কর্মচারী হবেন তাঁয়। হয়তো দেশনেবক হিসাবে কাজ করবেন। কিন্তু পুরাতন বৃটিশ সরকারের আমনে যে নিমুক্ত যে সমন্ত কর্মচারী এখনও কাজ করছেন, তাঁয়া সুযোগ পেলেই দেশের অর্থ শোষণ করবার জন্য উৎস্কুক হ'য়ে থাকেন। কারণ তাঁদের মন vitiated হ'য়ে আছে। এতবড় একটা Corporation যেখানে কোটি কোটি চাকা ব্যয় হচেছ সেখানে commissioner বর উপর ৫০ হাজার চাকা ব্যয় করবার তার দেবার জন্য সিদ্ধান্ত করেছেন, এটা অত্যন্ত পণতমবিরোধী এবং এর হারা কনিকাতা নগরবানীর আর্থে অত্যন্ত আমাত করা হচেছ এবং আইনের দিক দিয়ে একে বিচার করলে, কতপুর টিকবে বলা মার না। স্থতরাং আমি গতর্গনেগটকে অনুরোধ করছি তাঁয়া যদি এই ক্ষেতাটা মেয়রের হাতে দেন তা হ'লে অত্যন্ত ভাল হয়, এবং গতর্পবেশ্টেরও কোন কতি হয় না। কারণ এই নির্বোচিত যে বেয়র তাঁর উপর ক্রিক্টেরেক্টরেক্টর আছা আছে। এই বলে আমি চারুবাবুর এই সংশোধনী পুজাবটা সর্যবন করছি।

The motion of Sj. Charu Chandra Bhandari that for the second proviso to clause 32, the following be substituted, namely:—

"Provided further that the Commissioner shall not have power to act under this section unless the state of emergency in the matter concerned is decided upon or approved by the Mayor and if the expenses for the execution of the work or doing the act is, in his opinion, likely to exceed ten thousand rupees," was then put and a division taken with the following result:—

#### AYES-6

Bandyopadhyaya, 8j. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, 8j. Hemanta Kumar Bhandari, Sj. Charu Chandra Cheudhury, Sj. Ananda Prosad De, Sj. Kanai Lai

#### NOE8-41

Abdullah, Janab S. M.
Banerjee, SJ. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, SJ. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das Gupta, SJ. Khagendra Nath
Dass, SJ. Kanalial
Dolui, SJ. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguii, SJ. Bepin Behari
Gayen, SJ. Arabinda
Gomes, Mr. D.
Gupta, SJ. J. C.
Haidar, SJ. Kuber Chand
Kazem All Mirza, Janab Shahibzada
Kawan Jah Salyid
Mahammad Kased Ali, Janab
Mahanty, SJ. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majhi, SJ. Nishapati

Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mandai, Sj. Bankubehari
Mandai, Sj. Umesh Chandra
Miara, Sj. Bowrindra Mohan
Miara, Sj. Bowrindra Mohan
Mohammad Hossain, Dr.
Mudassir Hossain, Janab
Musharruff Hossain, Janab
Musharruff Hossain, Janab
Masharruff Hossain, Janab
Panja, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabenara Nath
Poddar, Sj. Anandilal
Pramanik, Sj. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimai Chandra
Zaman, Janab A. M. A.

The Ayes being 6 and the Noes 41, the motion was lost.

The question that clause 32 do stand part of the Bill was then put and a division called:

(When the division bell ceased ringing.)

Mr. DEPUTY SPEAKER: Those honourable members who are against the motion will please rise in their places?

Dr. SURESH CHANDRA BANERJI: Sir, we have hitherto been following the system of calling divisions and we refuse to abide by this new procedure today.

Mr. DEPUTY SPEAKER: But there must be a certain limit to calling divisions. Therefore it is my painful duty to ask you this time without creating any precedent to rise in your seats and record your votes.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Nobody can question your ruling. This is being done in the Parliament almost every day.

Dr. SURESH CHANDRA BANERJI: In that case, Sir, we will have no other alternative but to withdraw from the House for the day.

Mr. DEPUTY SPEAKER: I gave you all facilities and you called divisions on several occasions and on this occasion only I ask you to rise in your seats.

Dr. SURESH CHANDRA BANERJI: Sir, how many divisions did we call today? We called divisions only on vital matters.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Frivolous divisions.

Dr. SURESH CHANDRA BANERJI: Sir, although this Bill is a very reactionary one we refrained from calling divisions on many occasions. So, Sir, if you stick to that—

Mr. DEPUTY SPEAKER: What is the harm? The division will be recorded.

Dr. SURESH CHANDRA BANERJI: The harm is this that we have been following a particular procedure so long and we want to follow that procedure now. We have done nothing which has prompted you to punish us by taking recourse to this method, and we refuse to do that.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, that refusal is a reflection on the Chair.

Dr. SURESH CHANDRA BANERJI: Sir, we have already heard the Chief Minister saying that some other method will have to be adopted. Sir, we refuse to be punished in this fashion.

Mr. DEPUTY SPEAKER: Without creating any precedent I ask the members to rise in their seats to record the division.

Dr. SURESH CHANDRA BANERJI: Sir, we refuse to obey your direction. We would rather clear out.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: You can do that.

SJ. HEMANTA KUMAR BASU: Deputy Speaker, Sir, আপনার ruling দেবার আবে আমি একটা কথা বলতে চাই। আমরা যখন Congress partyতে ছিলাম তখন জ্যোতি বাৰ একলাই প্রায় সমন্ত division demand করতেন এবং তাঁকে তা করতে দেওয়াও হয়েছে। আমার মনে হয় সেই procedureই এখানে follow করা উচিৎ।

Mr. DEPUTY SPEAKER: This is the last day on the eve of a long adjournment and I do not want to create any unpleasant situation. I therefore allow you to have the division in the usual way.

### Dr. SURESH CHANDRA BANERJI: शनावीप ।

The question that clause 32 do stand part of the Bill was then put and a division taken with the following result:—

#### AYES-39

Abdullah, Janab S. M.
Banerjee, Sj. Sushii Kumar
Barman, The Hon'ble Syama Prasad,
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanaliai
Dolui, Sj. Harendra Nath,
Dutt-Mazumdar, The Hon'ble Niharendu
Gayen, Sj. Arabinda
Gomee, Mr. D.
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Beharl
Majai, Sj. Nishapati

Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mandal, Sj. Krishna Prasad.
Mandal, Sj. Unesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hossain, Dr.
Mudassir Hossain, Janab
Musharruff Hossain, Janab
Musharruff Hossain, Janab
Maskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Poddar, Sj. Anandilai
Pramanik, Sj. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Sarkar, Sj. Birendra Nath
Sen, The Hon'ble Prafulia Chandra.
Shamsul Huq, Janab.
Sinha, The Hon'ble Bimai Chandra
Zaman, Janab A. M. A.

#### NOES-6

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra De, Sj. Kanai Lai

The Ayes being 39 and the Noes 5, the motion was carried.

Clause 33.

The question that clause 33 do stand part of the Bill was then put and agreed to.

Clause 34.

The question that clause 34 do stand part of the Bill was then put and agreed to.

Clause 35.

The question that clause 35 do stand part of the Bill was then put and agreed to.

Clause 36.

The question that clause 36 do stand part of the Bill was then put and agreed to.

Clause 37.

The question that clause 37 do stand part of the Bill was then put and agreed to.

Clause 38.

- 8j. HEMANTA KUMAR BASU: মাননীয় ডেপুট শীকার মহাপয়, আমি শ্রীরুত জ্যোতি বস্তুর amendmentটা move করতে চাই। এটা আমি move করতে পারি কি?
- Mr. DEPUTY SPEAKER: না, আপনি move করতে পারেন না, তবে যদি এটার উপর বলতে চান, তবে বনুন।
- Sj. HEMANTA KUMAR BASU: এই claused আছে যে Corporation বা Standing Committee কৰিশনাৱকে যে সমন্ত খাতাপত্ৰ, কাগজ বা document produce করতে বলবেন তিনি সেঙলি produce করবেন, কিন্তু সকেই তাঁকে ক্ষমতা শেওয়া হয়েছে যে, বদি তিনি বনে করেন যে তাঁর বতে বে কাজটা prejudicial হবে Corporation কিবা publicdম পক্ষে, তা হ'লে তিনি সেটা place করবেন না—এই বে ক্ষমতা তাঁকে দেওয়া হয়েছে তা তাঁর থাকা উচিত নয়। স্থতরাং আমি এই clauseটা থাকাম বিশেষ আপত্তি করহি।
- 8J. CHARU CHANDRA BHANDARI: ন্যার, পুণষত আনার বক্তব্য হচেছ এই clauseটা দেওবার কোন পুরোজন আছে কি? আনার অভিজ্ঞতার আনি আনি বে, ইভিপ্রের্থ Corporation ও Chief Executive Officerএর মধ্যে কাগজণাত্র নিয়ে বিরোধ হ'য়ে কোন deadlock স্কাই হয়নি। Dr. Roy বা বলেছেন—rules, regulation করবার অধিকার কর্পোরেশনের থাকবে, এবং Commissioner in the exercise of his powers and in discharge of his duties shall be responsible to the Corporation তা হ'লে এই clauseটা দেওমার কি পুরোজন আছে? Commissioner is an officer of the Corporation; he may be called an authority but he is the Municipal Executive Officer of the Corporation. আনি ব'রে নিলান হবতে কোন দিন এমন একটা বটনা হ'তে পারে, কিছু আগে থেকে তা anticipate ক'রে ঝগড়াটা পুরল করবার কি পুরোজন আছে? এই clauseটা dangerous. অনেক সময় অনেক কথা suggestive হয়। Calcutta Corporations এবন কোন বটনা হরেছে কি না বে কাগজণাত্র চাওমা হরেছে, কিছু Chief Executive Officer সেকৰি,

আনি ভানতে চাই, তাই আনি বলৃছি এই clauseটাৰ আবশাস্তা নাই। এই clausedৰ ২নং ধাৰাৰ record চাইনাৰ ক্ষমতা দেশুৱা হৰেছে। কিছ সংগে সংগে এই ক্ষমত কা হৰেছে বে, চাইনে নাও দিতে গাবেন। অনেক সময় অনেক জিনিস Government refuse করতে পাবেন, এবং নাকচ করাৰ ক্ষমতাও সমকারের আছে যদি prejudicial to the interest of the State হয়। আগে একজন বনেছেন বে, ক্ষিপানার Master of the Corporation হবেন; এবানে সেই জিনিস্টাই করা হয়েছে। ক্ষমিশাবের এই position কবনো accept করা উচিত নয়। Corporation includes Mayor and Mayor is elected by the Corporation. এই clauseটা অত্যন্ত unfortunate clause, এবং আমি এই clauseটা withdraw করতে বলুছি।

8j. KANAI LAL DE: আমি এই clauseটা সহদ্ধে দুই একটা কথা বলতে চাই। এই clauseটা হারা পুমাণিত হচেছ যে, আমাদের বন্ধুবর জনাব মুদাণির হোসেন সাহেব একটা প্রাম্য পুবচনে বলেছেন, মায়ের চেরে মাসির দরদ বেশী। এখানেও সেই জিনিসটা আমরা দেখতে পাটিছ। Commissionerকে এই রক্ম ক্ষতা দেওয়া উচিত কি না সেটা একটু বিবেচনা করবেন। যারা নির্বাচিত প্রতিনিধি তারাই Corporationএর হার্ব বেশী দেখবে, না যারা কর্মচারী তারা? Commissionerকে বৃদি এই ক্ষমতা দেওয়া হয় তা হ'লে আনায় হবে এবং Councillorদের উপর অবিচার করা হবে। স্থতরাং আমি বলছি এই clauseটা বাক। উচিত নয়।

The Hon'ble NIHARENDU DUTT-MAZUMDAR: On a point of order, Sir. It is my duty to call your attention to provise to rule 3 of the Regulations of the Assembly Procedure Rules, Appendix VII. The provise lays down with reference to division of the House: "Provided that the Speaker may in his discretion instead of taking votes as provided for in Order 3(b) call on the Ayes or the Noes to rise in their seats and may thereafter, on counting the persons who rise in their seats, either declare the determination of the House or direct the division to be taken through the lobbies in the manner as provided for in Order 3(b)."

I distinctly recollect, Sir, that in pursuance of the Speaker's Regulations during the time of Mr. Azizul Haque, your illustrious predecessor, this procedure had been followed and when the Speaker in exercise of his power under the Speaker's Regulations called upon the House to rise, all sections of the House considered it their duty, as a matter of maintaining the dignity of the House, to obey the Speaker's direction and to rise in their seats. For any section of the House to defy the Speaker's order or request, after the direction has been given requesting members to rise in their seats, and to say "We refuse to obey" is not only disrespect to the Chair but it is direct infringement of the dignity of the House and I, Sir, as a member of the House take the strongest exception to this unbecoming behaviour on the part of the members of any section of the House. I, therefore, submit that it is a part of the Speaker's duty to see to it that the provisions contained in the Speaker's Regulations shall be adhered to and when the Speaker is pleased to exercise his discretion in that behalf, it shall be obeyed. If any members choose to defy the Speaker's ruling after it has been given, their course is left open. It should not be open to any section of the House by mere defiance to force the Speaker to change his ruling and a ruling once given shall be enforced. If the ruling is open to objection, it is open to members aggrieved to raise that matter according to the proper procedure and to discuss the Speaker's ruling in due course, but defiance is altogether cut of court—it is an infringement of the dignity and right of the House. I, therefore, make my submission to you, calling your attention to the Speaker's Regulations, that no section of the House should be allowed to infringe this regulation when the Speaker has been pleased to exercise his discretion.

Mr. DEPUTY SPEAKER: Perhaps you are sware that I have been a member for 16 years in this House and I do not remember an occasion when members rose in their seats—I do not remember that—but I have also never seen such frivolous divisions being asked by the Opposition again and again on the same point. (The Hon'ble Rai Harendra Nath Chaudhuri: Hear, hear.) I have already said that perhaps the House will adjourn for the Pujah holidays after 5 or 10 minutes and, as I have said, I do not like to create any precedent. Therefore, only to accommodate me I asked you to rise in your seats, but it is very difficult to go on with this work, to continue transacting the business of the House, if such thing should go on again and again. I do not know why these Divisions—frivolous Divisions—are called again and again. I do not find any reason why this thing should be done again and again. I, therefore, request the Opposition and seek their co-operation to accommodate me, so that I can transact the business of the House.

Dr. SURESH CHANDRA BANERJI: Mr. Deputy Speaker, Sir,——
Mr. DEPUTY SPEAKER: I have already given my ruling.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: No discussion on Speaker's ruling.

- Dr. SURESH CHANDRA BANERJI: On a point of privilege, Sir. You may punish us in any way you like, but I must take serious exception to the word "frivolous".
  - 8j. KANAI LAL DE: আমরা আপনার "frivolous" কথার প্রতিবাদ জানছি।
- Dr. SURESH CHANDRA BANERJI: You from your dignified position have used the word "frivolous" twice, and I as Leader of the Opposition must take serious objection to that. I can tell you that we have asked for Division only on important issues. Such a reactionery Bill is going to be passed and it is our duty that we must record our strongest protest against this Bill. As a protest against your using the word "frivolous" we withdraw from the House.
  - 8j. HEMANTA KUMAR BASU: Mr. Deputy Speaker, Sir-
  - Mr. DEPUTY SPEAKER: I am on my legs.
- 8j. HEMANTA KUMAR BASU: Will you withdraw that word? ত<sup>1</sup> লা হলে আবলা walk-out কলতে ৰাধ্য হৰ।
  - (At this stage the Opposition members withdrew.)

The question that clause 38 do stand part of the Bill was then put and agreed to.

Clause 39.

The question that clause 39 do stand part of the Bill was then put and agreed to.

Clause 40.

The question that clause 40 do stand part of the Bill was then put and agreed to.

Clause 41.

The question that clause 41 do stand part of the Bill was then put and agreed to.

# Adjournment.

The House was then adjourned at 7 p.m. till 3-30 p.m. on Thursday, the 25th October, 1951, at the Assembly House, Calcutta.

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# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 25th October, 1951, at 3-30 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 12 Hon'ble Ministers and 59 members.

# Obituary.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, may I have your permission to mention the death of Prime Minister Liaquat Ali Khan at the hand of an assassin. Sir, on behalf of this Assembly I desire to associate myself with the words that have been uttered by my Prime Minister Mr. Nehru in Delhi. The cruel hand of the assassin took away a very prominent statesman and a politician. Although he was not a member of this Assembly directly, yet he ruled over a portion which was once Bengal. Last year in 1950, when I had the privilege of discussing with him about the problems which affected East and West Bengals, I found in him an astute, clever and farseeing statesman and yet he was able to appreciate the point of view which I had to present on behalf of West Bengal. His approach was very conciliatory and, as you are aware, out of that discussion was evolved the Delhi Agreement which lessened the tragedy that was being enacted at that moment. In the face of death I do not want to say many words. I only wish to convey to the family of Nawabzada Liaquat Ali Khan our heart-felt condolence at the untimely death of a great man.

Dr. SURESH CHANDRA BANERJI: বাননীয় স্পীকারবহোদয়, এই পরিঘদের leader ডা: বিধানচক্র রায় পাকিস্তানের তুতপূর্বে পুধান বয়ী লিয়াকৎ আলি বাঁর সহছে যেসব অভিমত ব্যক্ত করেছেন তার সক্রে আমি এবং আমার দলের সকলেই একমত। আমাদের অনেকেরই বোধহয় লিয়াকৎ আলি বাঁর সক্রে সাক্ষাৎ পরিচয় ঘটেনি, কিন্তু তাঁর কার্য্যাবলীর সক্রে আমরা সকলেই স্থপরিচিত। যেসব ঘটনার মধ্য দিয়ে পাকিস্তানের প্রতিষ্ঠা সেসব ঘটনার সক্রে লিয়াকৎ আলি বা আজাজিভাবে অভিত।

কারেদে-আজম জিনুার মৃত্যুর পর অনেকেরই এই বারণা হয়েছিল যে কারেদে-আজমের অভাবে পাকিস্তানে না জানি কি দুর্ব্যোগ ঘটে, কিন্তু লিয়াকং আলি বাঁব নেতৃছের কলে তা কিছু পাকিস্তানে ঘটেনি, বরং পাকিস্তান ক্রমণ: উনুতির পথে এগিরে চলেছে। জাবার বিশাস ছিল তিনি যদি বেঁচে থাকভেন, তা হ'লে চিলুয়ান ও পাকিস্তানের মধ্যের যে বতির বাত আছে আছে পাত্তির পথে বীমংসা হ'যে যেতো, তাই তাঁর মৃত্যুতে আজ আমরা শোকাচছ্নু, এখন যিনি পাকিস্তানের প্রধান মহী—পাজা নাজিমুদ্দিন, তাঁকে আমরা ভালভাবেই জানি। এবং জামরা আশা করি তাঁর প্রধানমন্ত্রীয় কালে নিয়াকং আনি বাঁ যে কাজ আমন্তর ক'বে গিরেছেন, সেটা স্থচাক্রমণে সম্পন্ন হবে, এবং ভারত ও পাকিস্তানের বন্ধুয় স্থদ্দ ভিত্তির উপর প্রতিষ্ঠিত হবে এবং উভরই তা হারা উনুতির পথে অনুসর হবে।

Janab SYED BADRUDDUJA: I deeply associate myself with the sentiments expressed in the words that have fallen from the lips of the Hoa'ble the Leader of the House. Sir, the sudden assassination of Nawabzada Liaquat Ali Khan has come to Pakistan as really a stunning blow. His death removes from the field of politics and administration an outstanding personality of international stature and eminence. A statesman really of the first rank, a far-sighted politician, an administrator of a very high order, he will go down to history as one of the greatest nation-builders of the age.

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He will be remembered for his excellent qualities of head and heart by the vast millions of people whis own country and elsewhere. His contributions in the field of politics has statecraft will be appreciated by those who came in closest touch with has. His sobriety of judgment, his sweet reasonableness, his significant contributions in the field of administration will be appreciated not only now but even at a distant age, but his services to the cause of minorities in Pakistan and India will be remembered by an admiring posterity, especially by vast millions of Muslims in India and Hindus in Pakistan with the deepest gratitude. I had the privilege and honour of leading two deputations to him at Delhi and Dacca when he was alive and guiding the destinies of Pakistan and I was very much impressed with his genuine desire for welfare of the minorities with his sincere solicitude for doing positive good to the minorities on both sides of the border. As long as Pakistan and Hindusthan remain, we shall remember with gratitude the name of Liaquat Ali Khan for restoring at a critical juncture the sweet relations that had subsisted between India and Pakistan, for having arrested the drift in collaboration with our own Prime Miniser. The historic pact of Delhi stands as a glorious testimony to the joint endeavours of the two noble Prime Ministers of India and Pakistan, Minorities of India and Pakistan are therefore specially grateful to Nawabzada Liaquat Ali Khan and our Prime Minister. We shall cherish with respect, with reverence, with the deepest gratitude the memory of this great and noble soul. We pray to Almighty God that the example of this noble martyr, the blond that he has shed, may purge India and Pakistan of passions and prejudices, of mutual bickerings and recriminations, that have hitherto disturbed the political horizon of India and Pakistan. May India and Pakistan both together lead on to the path of glory, the path of friendship in future.

Janab MUDASSIR HOSSAIN: Sir, it is with profound grief and great sorrow that I rise to associate myself with what has fallen from the lips of the Leader of the House and from the lips of the other great leaders of India, namely, Pandit Nehru and Maulana Azad and the President His Excellency Dr. Rajendra Prosad. Sir, the encomium which was bestowed and the praise which was given in the course of their speeches bear out the truth as to what sort of a man Janab Liaquat Ali was. He was a giant among men. He was one of the greatest men that India has ever produced. Sir, when we were in the Muslim League before partition we had the honour and good fortune of meeting him on several occasions and, Sir, every one who came in contact with him will realise the loss which India and Pakistan have suffered at the passing away of this great man. Sir, Pakistan and India for some time were at cross roads and the horizon was cloudy and it was thought that war would break out between the two countries. At that moment when everything was gloomy and the horizon was clouded with dark clouds the Dehli Pact came which was the result of the consideration and deliberation of the two important greatest men of India and Pakistan. I had great pleasure when this Pact was concluded because it was on the 19th of March, 1950, that I delivered in this Assembly a speech in which I advocated that the Leader of the House should come to an agreement with the Prime Minister of East Bengal and in fact with the leading authorities of Pakistan, with regard to the 17 points that I made out on the 19th of March, 1950. Then this speech was broadcast from the All-India Radio Station in Calcutta. Then our Leader of the House thought that as the other party consists of Muslims in Pakistan, Muslim gentlemen should proceed from here and take action so that an immediate pact and agreement might be concluded. On this advice I moved in the matter. I sent a copy of my speech to our Prime Minister Pandit Nehru, our President Dr. Rajendra Prasad, Prime Minister Mr. Liaquat Ali Khan and to the Chief Minister of

Eastern Pakistan; and after three weeks, Sir, this Pac was concluded which, in fact, was the same as I had suggested, with the supplementary agreements. And the suggestions which I had made were agreed to.

Therefore, Sir. this Pact gave me the great t pleasure. Now, the gentleman who was at the helm of affairs in Pakistan has passed away. Sir, it has given me the greatest pang. I condole his death, and I hope this Assembly will send a message of condolence to the bereaved family of Mr. Leaquat Ali Khan and to the Prime Minister and the people of Pakistan and will convey our sorrow and sympathy with the Pakistanis in their loss.

Mr. SPEAKER: I whole-heartedly associate myself with the sentiments that have been expressed by the Hon'ble the Leader of the House as well as by other members of this House. It is really a tragedy that the Hon'ble Prime Minister of our neighbouring State should meet with death at the hands of an assassin-nay, an untimely death. And it has brought back to our memory those days when our revered leader Mahatmaji met with a similar death. It is really most painful that politics should lead to such results which are disastrous to freedom of political activities in any country in the modern world. Be that as it may, the thing has happened and we really feel very sorry for the bereavement and the gap which our neighbouring State of Pakistan has felt on account of this death. We mourn it more because a portion of our own province is under the dominion of the country of which Mr. Liaquat Ali Khan was the Prime Minister. I hope that the relationship between our country and Pakistan will be smoothened and both the countries will go on with prosperity and happiness of the people.

With these words I express my condolence at the bereavement which has happened to the family of the deceased as well as to the nation in whose midst he moved about. I hope, gentlemen, you will express your condolence by standing in silence for two minutes.

(Members rose in their seats. Pause.)

Thank you, ladies and gentlemen. Secretary will do the needful.

#### STARRED QUESTIONS

(to which oral answers were given)

# Death of one Megra Bibi at Umadas Lane, Taltala, Calcutta

- \*34. Sj. SIBNATH BANERJEE: Will the Hon'ble Minister in charge of the Home Department be pleased to state—
  - (a) (i) whether it is a fact that on the 3rd April, 1951, about 9-30 a.m. one widow named Megra Bibi, aged about 50 years, of village Maitala, police-station Mograhat, 24-Parganas, was kicked in the abdomen by an Enforcement Officer in Umadas Lane in police-station Taltala,
  - (ii) that the woman died as a result thereof.
  - (iii) that the widow has two dependants—
    - (1) a daughter aged 12 years, and
    - (2) a son aged 8 years, and

- (iv) that the officer concerned was chased by the public and rescued by a police patrol;
  - (b) whether it is a fact that the woman was carrying some rice for selling in the market;
  - (c) whether the Hon'ble Minister will consider the desirability of instituting a thorough non-official enquiry in the matter; and
  - (d) whether the Hon'ble Minister will consider the desirability of giving adequate compensation to the children of the deceased?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy): (a) (i) and (ii) No. A woman named Megra Bibi died in Uma Das Lane on 3rd April, 1951. Post-mortem examination and the Coroner's inquest show that "death was caused by rupture of spleen due to some impact, the nature of which cannot be ascertained for want of sufficient evidence". Neither the finding nor the enquiries made support the contention that she was kicked in the abdomen by an Enforcement Officer.

- (iii) Yes, namely,-
- (1) a daughter aged about five years, and
- (2) a son aged about seven years.
- (iv) Yes. The Sub-Inspector of the Enforcement Branch who proceeded to the New Market area with the object of apprehending persons illegallly selling rice was assaulted by a section of the crowd which assembled and was surrounding Megra Bibi when she was lying unconscious. Subsequently he was rescued by a police patrol and sent to hospital for treatment for the injuries sustained by him at the hands of the crowd.
  - (b) Yes
- (c) Enquires have been made in the Coroner's Court and by the police. The Coroner's jury heard all the witnesses including the deceased's son. Police erquiries also were made. Government do not consider it necessary to institute any enquiry by non-officials.
- (d) Government are not liable to give compensation in such a case. An ex-gratia payment of Rs. 300 has been sanctioned on compassionate grounds to the father of the deceased who is looking after the two minor orphans.
- 8j. HEMANTA KUMAR BASU: মাননীয় মন্ত্রীবছাপয় বলবেন কি, এই মহিলাটির কালো-বাজারে চাউল বিক্রি কবা ছাডা জীবিকার্জনের আর কোন পথ ছিল কি না?

The Hon'bic Dr. BIDHAN CHANDRA ROY: I do not know.

8j. CHARU CHANDRA BHANDARI: মাননীয় মন্ত্রীমহাপয় জানাবেন কি, এই সময় সংবাদপত্রে প্রকাশিত হয়েছিল বে, মহিলাটি পুলিস অফিসার কর্তৃক লাখি মারার ফলে পড়ে গিয়েছিলেন, এই সম্পর্কে কোন সাক্ষ্য গ্রহণ করা হয়েছিল কি না ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: The Coroner's jury enquired into the case and was satisfied that there was no assault by anybody on the woman.

Shaikh MOHAMAD RAFIQUE: Will the Hon'ble Minister be pleased to state if any enquiry was made on the spot when the woman was killed?

The Hon'blc Dr. BIDHAN CHANDRA ROY: Yes.

Dr. SURESH CHANDRA BANERJI: बाननीय व्यविद्यालय नगरन कि, धारै निव्यालय वृक्षात्र कावन कि?

The Hon'bic Dr. BIDHAN CHANDRA ROY: I said—rupture of the speen.

Dr. SURESH CHANDRA BANERJI: Rupture কি আপনা খেকেই হয়েছিল, না অন্য কোন কারণে হয়েছিল ?

(No reply.)

8j. HARIPADA CHATTERJEE: এটা কি সত্য যে লাখি যারা ছরেছিল? বাদনীর বহী-বহাপ্য এটা জানাবেদ কি ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: আৰি একবার দুইবার নর, বার বার বক্ছি বে, লাধি মারার কোন পুৰাণ পাওয়া যায়নি।

# Appointments made during 1950 in Cooch Behar district under State

- \*35. 8j. UMESH CHANDRA MANDAL: Will the Hon'ble Minister in charge of the Home Department be pleased to state—
  - (a) the total number of appointments made during the year 1950 in Cooch Behar district under the State Government;
  - $(\dot{b})(i)$  how many of them were given to local Scheduled Castes, and
  - (ii) how many to settled refugees within the district; and
  - (c) how many recruitments have been made from persons outside the district?

The Hon'ble Dr. BIDHAN CHANDRA ROY: (a) Six hundred and seventy-five.

- (b) (i) As it is against the spirit of the Constitution of India wherein equal opportunities for appointments and privileges under the Government have been provided for, the Government do not maintain any register of appointments made and privileges granted community-wise except to the extent that is provided for in the Constitution.
  - (ii) Four hundred and ninty-nine.
  - (c) Seventy-four.

# Colleges started under the Dispersal Scheme

- •38. SJ. DEBENDRA NATH SEN: Will the Hon'ble Minister in charge of the Education Department be pleased to state—
  - (a) the number of colleges started up till now under the Dispersal Scheme;
  - (b) the name and location of each one of them;
  - (c) the number of students and the teaching staff in each of them;
  - (d) the amount of money spent per year both as capital grant and as recurring expenditure for each of them; and
  - (e) the number of students sent up during the last Intermediate and B.A. and B.Sc. Examinations by each of them?

MINISTER-IN-CHARGE of the EDUCATION DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri:) (a) The number of new Intermediate Colleges started under the Dispersal Scheme is 12. These new Intermediate Colleges started under the Dispersal Scheme constitute a comparatively small part of the scheme.

- (b) to (d) Statements are laid on the Table.
- (e) All the colleges noted above are new Intermediate Colleges and their first batch of students are due to appear at the University Examinations (I.A. and I.So.) in 1952.

Statement referred to in reply to clauses (b) and (c) of starred question No. 36, showing the number of students and the teaching staff in each of them (the colleges started under the Dispersal Scheme).

	·	Number of students.	Number of teaching staff.
1.	Baraset Intermediate College, 24-Parganas	54	11
2.	Barisha College, 24-Parganas	147	11
3.	Bejoy Narayan Mahavidyalaya, Itachuna, Hooghly.	119	11
· <b>4</b> .	Bolpur College, Birbhum	127	12
5.	Dum Dum Matijheel College, 24-Parganas	171	12
6.	Intermediate College for Girls, Asansol, Burdwan.	62	12
7.	Jangipur College, Murshidabad	120	11
8.	Kandi Raj College, Murshidabad	125	11
9.	Rampurhat College, Birbhum	135	12
10.	Ranaghat College, Nadia	102	12
11.	Siliguri College, Darjeeling	103	11
12.	Taki Intermediate College, 24-Parganas	77	12

Statement referred to in reply to clause (d) of starred question No. 36, showing the amount of money spent per year both as capital grant and as recurring expenditure.

		Capital grant.		Recurring expenditure.	
	•	1949-50.	1950-51.	1949-50.	1950-51.
		Rs.	Rs.	Rs.	Rs.
1.	Baraset Intermediate College, 24-Parganas.	Nil	1,15,673	Nil	10,444
2.	Barisha College, 24-Parganas	47,000	33,750	Nil	20,000
3.	Bejoy Narayan Mahavidyalaya, Itachuna, Hooghly.	47,000	13,500	Nil	17,442
4.	Bolpur College, Birbhum	47,000	34,500	Nil	18,707
5.	Dum Dum Matijheel College, 24-Parganas.	52,000	77,870	Nil	18,000
6.	Intermediate College for Girls, Asansol, Burdwan.	••	96,000	Nil	18,139
7.	Jangipur College, Murshidabad		60,500	Nil	18,595
8.	Kandi Raj College, Murshidabad	47,000	30,500	Nil	13,369
9.	Rampurhat College, Birbhum	47,000	3,500	Nil	16,212
10.	Ranaghat College, Nadia	••	46,000	Nil	13,000
11.	Siliguri College, Darjeeling		40,500	Nil	9,000
12.	Taki Intermediate College, 24-Pargamas.	••	71,931	Nil	11,578

- . 8j. SIBMATH SANERJEE: Mr. Speaker, Sir, on a matter of privilege.
  - Mr. SPEAKER: Please ask your supplementary question.
- 8]. SIBNATH BANERJEE: Sir, I am making a submission. Questions are circulated I do not know when and today they have not been circulated—they might have been circulated before.
  - Mr. SPEAKER: They have been circulated before.
- 8j. SIBNATH BANERJEE: Might have been circulated before, but in Parliaments in other countries on the day of business these are again circulated which has not been done here. My prayer is a very small one. Let the question also be read so that we may put our supplementary questions. We are not supposed to carry all the bundles of papers with us. My prayer is that the question may be read.
- Mr. SPEAKER: In that case, you may say that the Calcutta Municipal Bill be also re-circulated.

# Activities (social and political) of teachers in educational institutions

- \*37. 8j. SATISH CHANDRA CHAKRAVARTY: (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state—
  - (i) whether any circular has been sent to the heads of educational institutions requiring them to send informations to the Education Department of West Bengal about the activities (social and political) of teachers under them; and
  - (ii) whether heads of educational institutions are required to inform the Education Department of West Bengal Government regularly whether in the opinion of the heads of the institutions they consider the teachers or professors under them as "desirable" or not?
- (b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state whether connection with newspapers or periodicals would be considered as "undesirable" in the case of teachers or professors?

# The Hon'ble Rai HARENDRA NATH CHAUDHURI: (a) No.

(b) Does not arise.

#### The West Bengal Fire Services

- \*38. SJ. SIBNATH BANERJEE: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—
  - (a) whether the Bengal Fire Service and Calcutta Fire Brigade have been amalgamated since 18th April, 1950;
  - (b) if so, the reason therefor;
  - (c) whether this amalgamation will be made on a permanent basis:
  - (d) whether a new Director was recruited on a contract basis;
  - (e) if so, the name of the new recruit with-
    - (i) qualifications,
    - (ii) previous experience in respect of local conditions.

# ICENTIONE.

- (iii) his place of domicile, and
- (±v) his original pay and present pay and terms of appointment, if any;
- (f) the name of the present Chief Officer, Calcutta Fire Brigade, with-
  - (i) qualifications,
  - (ii) previous experience in respect of local conditions,
  - (iii) number of years put in the Calcutta Fire Brigade, and
  - (iv) the present pay:
- (g) the names and posts of officers and Administrative staff in the new set-up:
- (h) the names and qualifications of those who are-
  - (i) promoted,
  - (ii) reverted from higher posts, and
  - (iii) recruited directly;
- (i) whether Government have received any representation from employees for being superseded in the new set-up; and
- (i) if so, the result of such representation?

# MINISTER-IN-CHARGE of the LOCAL SELF-COVERNMENT :PARTMENT (the Hon'ble Jadabendra Nath Panja): (a), (d) and (i) Yes.

- (b) To reorganise the two services on an efficient and economical basis.
- (c) The Directorate of Fire Services, West Bengal, created by algamating the Calcutta Fire Brigade and the Bengal Fire Service, has in made permanent, with the exception of a few posts of menials, with fleet from the 12th June, 1951.
- (c) (i) and (iv) A statement is laid on the Table.
- \ ) This question does not arise as the Officer was recruited from the nited Kingdom.
  - (iii) The United Kingdom.
- (f) There is no such officer at present and the question does not, therefore, rise.
  - (g) and (h) A statement is laid on the Library Table.
- (i) All those employees were carefully examined by a Board consisting f responsible Government officers as to their fitness for the posts respectively eld by them and the Board's decision was upheld.

tatement referred to in reply to clauses (e) (i) and (iv) of starred question No. 38.

ame.-Mr. H. R. Scott.

ualifications .-

Member of the Institute of Fire Engineers.

Associate Member of the Fire Protection Association, United Kingdom.

Associate Member of the National Fire Protection Association, United Kingdom.

Passed Senior Officers' Course of the National Fire Service College.

Qualified Instructor, Siebe Gorman Limited and Home Office School self-contained breathing apparatus.

Medallion, St. John's Ambulance Association.

Passed Senior Cambridge Examination.

Qualified Motor Engineer through apprenticeship in the firm of Mes. Dennis Bros., England.

Original pay and present pay and terms of appointment:-

His emoluments in the post last held by him in the United Kingd were—Pay £950 per annum plus free house, electricity, gas a coal. He was also entitled to a pension of two-thirds of his pay completion of 30 years' service which he had to forego on tak up his present appointment.

His present pay and important terms of appointment are as follows

- Appointed on 5 years' contract on a pay of Rs.1,200 per mensem 1 dearness allowance, and an overseas allowance of Rs.500 mensem. He has been allowed a free unfurnished house and entitled to a gratuity of Rs.10,000 on rendering approved serv provided the contract is not renewed after 5 years.
- 8j. 8iBNATH BANERJEE: মাননীয় নশ্তীমহাপায় বলবেন কি যে, Mr. H. R. Scot অনুরূপ qualification সম্পানু কোন Indian available ছিল কি নাং

(No reply).

8]. HEMANTA KUMAR BASU: মাননীয় মন্ত্রীমহাশয় জানাবেন কি, কি qualificat হ'লে appoint করা যায় ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: এখানে বেধা আছে!

8j. HEMANTA KUMAR BASU: কিছুই তো লেখা দেখছি না।

The Hon'ble JADABENDRA NATH PANJA: এখানে যেরকর বিশেষজ্ঞ সেইরকর লোক পাওয়া যামনি।

- 8]. SIBNATH BANERJEE: মাননীয় মন্ত্রীমহাণয় বলবেন কি, বেশ্বলে Mr. Scott ১৫০ পাউও পেতেন সেশ্বলে ওঁকে এখানে ডবল মাহিনা দিয়ে ও ৫০০ টাকা dearness allowance এবং তদুপরি ১০ হাজার টাকা ক্ষতিপূরণ দিয়ে কেন appointment দেওয়া হ'ল। বিনাতে ডিঃ
  মাহিনা পেতেন তার কাছাকাছি মাহিনা দিয়ে appointment দেওয়া হ'ল। কেন।
- The Hon'ble Dr. BIDHAN CHANDRA ROY: May I answer because I was responsible for selecting him. The High Commission London invited applications from various persons there and nobody prepared to come under a salary than this. His coming here means he had to give up the claim for 15 years' service which gives him a pe which he has to give up. In order to compensate him for that pension had to pay him extra.
- 8j. ANNADA PROSAD CHOUDHURY: বাননীর বরীবহাণর বলবেন কি, Director Fire Services, West Bengal ও Calcutta Fire Service এই দুটো একত্র করার করে কি বি
  economy ও efficiency বেড়েছে?

The Hon'ble JADABENDRA NATH PANJA: বুটো আনাদা থাকাতে অনেক অস্থাবিধা হচিছল এবং বাহিনারও ভারতন্য ছিল। এবন বুটো amalgamate করার কলে কাজের দিক থেকে প্রিটোলেন্ডে বেড়েছে, আর economyও বেড়েছে, কারণ আগে বেথানে ২৯ লক্ষ্ টাকা থরচ হ'ড এখন বেথানে ২৩ লক্ষ্ টাকা নাগছে।

- 8j. ANNADA PROSAD CHOUDHURY: নাননীর মন্ত্রীবহাশর জানাবেন কি, Mr. H. R. Scotter বে প্ৰভা qualification আছে পে প্ৰভ qualification ছাড়া জন্য কোন qualification সম্পন্ন ভারতবাসী বা জন্য দেশীয় লোক যদি পেতেন পশ্চিমবঙ্গ প্রকার তাকে নিতে রাজী হতেন কি না প্
- Mr. SPEAKER: That question does not arise. That is a hypothetical question. Next question.
- **8j. ANNADA PROSAD CHOUDHURY :** যদি আরেকজন লোকের ঠিক এই সমন্ত qualification থাকে তা হ'লে কি আপনাবা তাকে appointment দেবেন ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: আবার যথন লোকের দরকার ছবে তথন দেখা বাবে।

- 8j. ANNADA PROSAD CHOUDHURY : মাননীয় ষষ্ট্রীষহাপয় জানেন কি, Continents ব জান বিশিষ্ট বৈজ্ঞানিক কম মাহিনাতে ভারতবর্ধে রয়েছেন ?
- (When the Hon'ble Dr. Bidhan Chandra Roy stood up to reply to the next question.)
  - Sj. SIBNATH BANERJEE: What about the reply to this question?

    Mr. SPEAKER: I have already called the next question.

#### Political prisoners

- \*39. (SHORT NOTICE.) 8j. JYOTI BASU: Will the Hon'ble Minister in charge of the Home Department be pleased to state—
  - (a) the number of-
    - (i) political prisoners now detained without trial,
    - (ii) convicted political prisoners.
  - (iii) under-trial political prisoners in the jails of West Bengal, and
  - (iv) those against whom warrants of arrest are pending under the Preventive Detention Act; and
  - (b) whether Government consider the desirability of-
    - (i) releasing all or any of the categories of the aforesaid prisoners in view of the ensuing general election, and
  - (ii) withdrawing the warrants of arrest against those mentioned in (a) (iv) above?

The Hon'ble BIDHAN CHANDRA ROY: (a) (i) Two hundred and sixty-four.

- (ii) One hundred and sixteen.
- (iii) One hundred and six.
- (iv) Forty.
- (b) (i) Release of detenus under (a) (i) cannot arise so long as the grounds for detention exist.

As for prisoners under (a) (ii) and (iii), Government do not see any reason to interfere with the Court's order.

(ii) Withdrawai of warrants of arrest with regard to those under (a) (iv) will not also be possible so long as the grounds for detention exist.

Under section 62(5) of the Representation of the People Act, 1951, persons confined in a prison whether under a sentence of imprisonment or otherwise are not entitled to vote at any election.

The detenus are, however, entitled to give their votes by postal ballots subject to the rules on the matter.

8j. 81BNATH BANERJEE: Supplementary question, Sir, with reference to answer (a) [(ii) and (iii)]তে বলা হয়েছে যে Government do not see any reason to interfere with the courts' order—এই Government এ পর্যান্ত, যবন থেকে Dr. Roy Chief Minister হয়েছেন, তবন থেকে কতগুলি ক্ষেত্রে courtএর order interfere করা প্রয়োজন মনে করেছেন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

- Dr. SURESH CHANDRA BANERJI: বাননীয় ষষ্টীমহাশয় জানাবেন কি, যে সমস্ত detenus জেলে আছে তাঁরা আগামী নির্বোচনের জন্য প্রাধী হ'তে পারবেন কি না ?
- The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not think there is any difficulty.
- 8j. HEMANTA KUMAR BASU: মাননীয় মন্ত্রীমহাশয় অনুপূহ কবে বলবেন কি, যে অবস্থায় এই সমস্ত detenucদর ধরা হয়েছিল, এখন সেই অবস্থা যখন বদলে গিয়েছে, তখন এদের মুক্তি দেওয়া কি এখন উচিত নয়?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have nothing more to add.

# Sj. Ratanial Brahmin, M.L.A.

- •40. 8j. JYOTI BASU: Will the Hon'ble Minister in charge of the Home Department be pleased to state—
  - (a) whether there is a warrant of arrest against Sj. Ratanlal Brahm:n, M.L.A.;
  - (b) if so, under which provisions of the law and for what charges;
  - (c) whether he has since been arrested; and
  - (d) if so, whether he will be tried in a Court of Law or detained without trial?

The Hon'ble BIDHAN CHANDRA ROY: (a) and (b) There is no warrant against Sri Ratanlal Brahmin. He is, however, wanted by the police in connection with two cases under section 11(3), West Bengal Security Act, 1950. The Deputy Commissioner of Darjeeling has also passed an order for his detention under section 3(I)(a)(ii) and (iii) of the Preventive Detention Act, 1950.

- (c) No. He is absconding.
- (d) The question does not arise as he has not yet been arrested.

I may mention to the House that this afternoon I was asked by a gentleman who was his emissary as to whether we should allow him to come and attend the Assembly. I said "I have no objection".

# Storage godowns of Food Department at Chinsurah

- \*41. 8j. PRAMATHA NATH BANDYOPADHYAY: (a) Will the Hon'ble Minister in charge of the Food Department be pleased to state—
  - (i) the total strength of the staff attached to the storage godowns of rice, atta, etc., in Chinsurah, mentioning the different categories of them;
  - (ii) the type of sheds under which those employees are to work;
  - (iii) whether there is any provision for drinking water, latrines, electric or other fans in those sheds:
  - (iv) whether there are any posts of pankha-pullers and peons; and
  - (v) whether there is electric installation in and around those premises?
- (b) If the answer to (a)(iii) is in the negative, will the Hon'ble Minister consider the desirability of providing in those sheds—
  - (i) electric fans;
  - (ii) latrines; and
  - (iii) drinking water?

MINISTER-IN-CHARGE of the FOOD DEPARTMENT (the Hon'ble Prafulla Chandra Sen): (a) (i) One inspector, two sub-inspectors, one sweeper, and three chowkidars. Total—seven.

- (ii) Brick walls with tin roofs.
- (iii) There is provision for drinking water only.
- (iv) No.
- (v) There is no electric installation in the premises but there is electric installation around the premises at a distance of about 25 yards from the premises.
- (b) (i) and (ii) No, as the closing down of the storage godowns is under consideration.
  - (iii) Does not arise in view of the answer to (a) (iii).

(After Mr. Speaker called the next question.)

- 8]. SIBNATH BANERJEE: Sir, we rose to put supplementaries but you did not allow us to do so. This has happened three times today.
- Mr. SPEAKER: Mr. Banerjee, you should be prompt in rising. After this question was answered, I waited, but nobody rose.
- 8j. SIBNATH BANERJEE: Sir, you were looking at the paper and not at the members.
- Mr. SPEAKER: So far as this question is concerned, I waited, but nobody rose and then I said "next".
- 8j. SIBNATH BANERJEE: Sir, we have to catch your eyes. That is the rule.
- Mr. SPEAKER: As soon as a member rises on a supplementary question he says "supplementary question, Sir". There is no question of catching my eyes. My eyes are caught the moment you utter the words "supplementary question, Sir". After this question was answered, nobody rose. I waited and said "next". If anybody rose after I said so, I am helpless.

8]. SIBNATH BANERJEE: There is no question of waiting. It is a question of looking at the members. If you look at the papers and not at us, how shall we catch your eyes?

Mr. SPEAKER: I have already answered that. Next.

# Restriction of stock and movement of paddy and rice and the sufferings of the producers therefrom.

- \*42. 8j. BEPIN BEHARI GANGULI: (a) Will the Hon'ble Minister in charge of the Food Department be pleased to state ইং। বি সভা বে—
  - (i) রেশন এলাকা হইতে ২৫।১০ মাইল দ্রে অবস্থিত ধানজমির মালিকের পক্ষে দেই স্থানে ধান বা চাউল রক্ষা করিবার ব্যবস্থা করার হথেই সম্মুবিধা হয় অথচ রেশন এলাকান্থিত পরিবারের খোরাকীর মত মাত্র ৮ সপ্তাহের উপযুক্ত ধান বা চাউল রেশন এলাকায় আনিয়া রাখিবার অনুমতি দেওয়া হয়;
  - (ii) রেশন এলাকা হইতে ২৷৩ মাইল দ্রে অবস্থিত ধানজমির মালিক সারা বৎসরের উপযুক্ত ধান বা চাউল আনিয়া রাধিবার স্বধিকারী;
  - (iii) ২৫।৩০ মাইল দূর হইতে অধতিবার ৮ সপ্তাহের করিয়া বৎদরে ছয়বার ধান বা চাউল আনিবার ধরচ উক্ত দ্রব্যের মূল্য অপেক্ষা অধিক হইয়া যায় : এবং
  - (iv) ১৯৪৮ খুরাব্দে ১শা মার্চ ভারিধ পর্যান্ত সারা বৎসরের ধান বা চাউল রেশন এলাকার আনিয়া রাধিবার কোন বাধা ছিল না ?
  - (b) যদি (a) প্রশ্নের উত্তর হঁা হর, তাহা হইলে মন্ত্রীমহাশর অমুগ্রহপূর্কক জানাইবেন কি---
  - (i) शानक्षमित्र मानिकालत উপा এই मकन निराय चारताथ करात कात्र कि :
  - (ii) তাঁহার৷ রেশন কার্ড জ্বমা দিয়া পরিবারের খোরাকীর মত নিজের উৎপন্ন সারা বৎসরের উপযুক্ত ধান বা চাউল আনিয়া রাখিলে আপত্তি কি;
  - (রার) দুরের ও নিকটের মালিকছারের মধ্যে ছুইপ্রকার বিধান কেন; এবং
  - (iv) ধানভামির মালিককে অধিক ধরচার কেলিবার কারণ কি?
- 8]. NISHAPATI MAJHI (on behalf of the Hon'ble Prafujia Chandra Sen): (a)(i) ইহা সত্য, কিন্তু এ সম্পর্কে সংগ্রিষ্ট ব্যক্তিগণের নিকট হইতে অভিযোগ একরূপ বিরব ব্লিশেই চলে।
- (ii) ইহা পত্য বে, রেশন এলাকা হইতে এক অথবা ছই মাইলের মধ্যে অবস্থিত ধানজ্মির চাষীকে ভাষার জমিতে উৎপন্ন যাবতীয় ধান্যই রেশন এলাকান্থিত ভাষার গৃহে ঝাড়াই মাড়াই করিবার জন্য (for purposes of threshing) আনিতে দেওয়া হর।
  - (iii) পরিবহনের মণকরা খরচ 🖚ছু বেশী পড়িতে পারে।
- (iv) এক বিশেষ ও জরুরী ব্যবস্থা হিসাবে কেবলমাত্র ১৯৪৮ সালের ১লা মার্চ হইতে ৩১শে ভিনেম্বর পর্যন্ত মাত্র ১০ মালের জন্য এককালীন চাউল আনিতে দেওরা হইরাছিল।

- (b) (i), (ii) and (iv) সার্থক ও কার্য্যকরীভাবে কোন এলাকার রেশনিং চালু রাধিতে হইলে বাছির হইতে রেশন দ্রব্য জামদানী বথাসন্তব বন্ধ করা প্রয়োজন। এককালীন বাহাতে অধিক চাউল আমদানী না হর এবং উদ্ধ আমদানীকৃত চাউলের অপব্যবহারের স্ক্রোগ না পাওরা বার তৎপ্রতি দৃষ্টি রাধিয়াই এই বিধিনিবেধ আরোপ করা ইইয়াছে।
- (১০০) রেশন এলাকার অভি নিকটবন্তী অমির মালিকগণ বাহাতে খান্য ঝাড়াই করিবার সুযোগ পান সেই জন্মই এই বিশেষ স্থবিধা প্রদান করা হইরাছে। কিন্ত লে ক্ষেত্রে পরিবারের বাৎসন্থিক খোরাকীর ধান্য বাদ দিরা অবশিষ্টাংশ সরকারের অথব। কোন চাউল কলের নিকট বিক্রী করিতে হইবে এইরূপ নির্দেশ দেওরা হইরা থাকে। এইরূপ অমির মালিকগণ্ডের সংখ্যা খব বেশী নহে।
- Sj. BEPIN BEHARI GANGULI: অভিযোগ করা হয়েছিল কিন্ত, তা সন্বেও আদি এইটা জানতে চাই মানট্রীয় মন্ত্রীমহাশয়ের, কাছে, যে ২৫-৩০ মাইল দুরে অবস্থিত যে ধান, চা'ল রক্ষা করবার ব্যবস্থা হয়েছে, তা যথেষ্ট অস্ক্রিধাজনক এবং সেই অস্ক্রিধা দুর করবার জন্য গতর্গমেণ্ট কি ব্যবস্থা করেছেন।
- 8j. NISHAPATI MAJHI: ৮ সপ্তাহের ধান বা চাউল এককালীন রেশন এলাকায় জানবার জন্য গভর্ণমেণ্ট স্বর্বদাই ব্যবহা করিতেছেন।
- Sj. SIBNATH BANERJEE: এই পুশের উত্তরটা বেশ পরিকারভাবে বুঝাত পারিনি। ২৫-৩০ মাইল দুরে বারা থাকে, তারা ৮ সপ্তাহের ধান, চ'লে নিয়ে আসতে পারে কিছ বারা মাত্র ২-৩ মাইল দুরে থাকে তাদের বেলার অন্য ব্যবস্থা—এটা কি তাদের গামে সহরের বাতাস লাগার জন্য, তাদের special favour করা হয়েছে?
- 8j. NISHAPATI MAJHI: বেহালা ও তার নিকটবর্তী স্থানে বারা বাস করে, তালের জমি রেশন এলাকা থেকে মাত্র দু-এক মাইল দুরে আছে—তারা যাতে নিজের জমির ধান এনে থেতে পায় তার জন্যই এই ব্যবস্থা করা হয়েছে।

## The report of the Judicial Reforms Committee

- \*43. Dr. P. C. CHOSH: Will the Hon'ble Minister in charge of the Judicial Department be pleased to state—
  - (a) whether the report of the Judicial Reforms Committee has been considered by the Government;
  - (b) if so, what steps the Government have taken so far in the matter to implement the recommendations of the said committee;
  - (c) whether the recommendations of the said committee are unanimous on all matters;
  - (d) if not, what steps Government have taken to implement the unanimous recommendations of the said committee;
  - (e) whether Government consider it desirable to maintain the dual system of Judicial Administration in the High Court, viz., the English Bar and the Original Side;
  - (f) whether the Government are aware that a portion of the Court premises is occupied by members of the English Bar exclusively for themselves as a club;
  - (g) if so, whether Government consider it desirable to allow it to continue;

- (h) whether in selecting members of the Judicial Reforms Committee Government departed from the original constitution of the committee proposed by them; and
- (i) if so, the reasons therefor?

MINISTER-IN-CHARGE of the JUDICIAL DEPARTMENT (the Hon'ble Niharendu Dutt-Mazumdar): (a) The report is under consideration of Government.

- (b) and (d) No steps have been taken so far since the recommendations are still under consideration of Government.
  - (c) No.
  - (e) The matter is under consideration.
- (f) Yes. Another portion is occupied by non-Barrister Advocates as an Association and yet another portion by Attorneys as a Law Society.
- (g) Yes. The arrangement has been continuing for a very long time and there is no complaint.
- (h) There was no departure from the constitution of the committee originally proposed by Government except in respect of the Chairman.
- (i) Departure was made in respect of the Chairman because the Chairman originally proposed declined to serve on the committee for reasons of health.
- 8j. ANNADA PROSAD CHOUDHURY: মাননীয় মন্ত্ৰী বহাপয় বলবেন কি, এই বে reportএর কথাটা বলা হবেছে যে এটা Governmentএর considerationএ আছে, এই report কবে Governmentএর হত্তগত হয়েছিল ?

The Hon'ble NIHARENDU DUTT-MAZUMDAR: It was received by Government only recently and since then it has been under the consideration of the Government.

8j. ANNADA PROSAD GHOUDHURY : মাননীয় মন্ত্রীমহাশয় অনুপূহ করে বলবেন কি যে এর ফলাফল কডদিনের মধ্যে শেষ হতে পারে ?

The Hon'ble NIHARENDU DUTT-MAZUMDAR: It is very difficult to give you a date, but it will be expedited as much as possible.

8j. 8iBNATH BANERJEE: মাননীয় মন্ত্রীমহাশয় বলবেন কি যে প্রাই reportটা Assemblya membersদের মধ্যে circulate করা হবে কি না ?

The Hon'ble NIHARENDU DUTT-MAZUMDAR: After the consideration of the Government.

Mr. SPEAKER: Questions over.

## Allotment of non-official day.

Dr. SURESH CHANDRA BANERJI: মাননীয় স্পীকার মহোদর, পুচলিত পুধা জনুবারী শুক্রবার non-official day হয়। আগামী কল্য শুক্রবার, গুমানাদের ছরটা non-official resolution আছে। আমরা জানতে চাই যে, আগামী কল্য আমরা এই সব non-official resolution আলোচনা করবার স্থােগ পাবে। কিনা ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I may make the position of the Government quite clear on the point. We have got to get through the Municipal Bill of which we have done about 45 clauses. We have got now 3 days this week and a few days next week. Most of us are very keen upon going away to our own constituencies for the ensuing

election. Therefore we would like to be free from the discussion of the Bill as quickly as possible. So, Sir, unless the members are prepared to sit both morning and evening as was done in the Parliament or come here at 2 o'clock and sit till 11 at night it will not be possible for us to have any day for non-official business until the Corporation Bill has been accepted by the House. That is the position with the Government.

Dr. SURESH CHANDRA BANERJI: মাননীর স্পীকার মহোদর, আমাদের পূজার ছুটির আবে এই আপুাস দেওবা হরেছিল যে পূজার ছুটির পর আমাদের একদিন non-official day দেওবা হবে। আগানী কল্য আমরা এই দিন পাবে। কি না সেটা আপনার কাছে জানতে চাই।

8]. SIBNATH BANERJEE: Mr. Speaker, Sir, পুৰান মন্ত্ৰীবহাণৰ যা বল্লেন, এটা ত preposterous statement. তিনি বললেন, একটা condition আমাৰা নাজী হলে তিনি non-official day দিতে নাজী আছেন। কিন্তু এটা তাঁৰ দ্যা নয়, এটা আনাদেৰ অধিকাৰ। এই অধিকাৰে এই sessionএর পুথম থেকেই আনরা ব্রিকত হয়ে আসছি। আনরা বার বার আপানকে এই কথা আনাছি এবং আমাদের এই অঞ্চিনার দাবী করছি ▶ আপনি at once minority ব protector হিসাবে সেই right over the head of the Chief Minister আনাদের দেবেন। তাঁর কোন right নাই এ কথা বলবার যে আমানা যদি তাঁর conditionএ রাজী হই তা'হলে non-official day পাবা। Non-official day পাবা। আনাদের একটা privilege. অবশ্য official matter তাঁরা যা ইচছা তা করতে পারেন, তাঁরা ত বলেছেনই যে তাঁবা other methods adopt করতে পারেন। কিন্তু আনাদের যে অধিকার রয়েছে তা কেতে নেবার অধিকার তাঁদের নাই। এটা privilege of the House and I hope it will be protected by the Speaker এবং তাঁর পক্ষে এই রক্ষ একটা অশোভন demand করা, যে আপনারা যদি এই conditionএ রাজী থাকেন তা'হলে আপনাদের non-official day দেবো, এটা অত্যন্ত্ব অসকত। এবং through you Sir, I request him to withdraw what he said.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, my friend Sj. Sibnath Bancrjee is often repeating "my privilege", "my right", etc. but where is the right? Will be show me where it is written that they must have Fridays as non-official days? Government has laid down the rules and it is for the Government again to utilise also Fridays on Government business. There is no rule that I know of that there shall be a non-official day on every Friday. So, why he talks of "my rights", etc. If I am wrong, Sir, will you please correct me?

sj. BIMAL COMAR GHOSE: Sir, the Assembly Procedure Rules provide for non-official days on Fridays and it is for you to waive the rule on some occasion. In this present case 21 days' notice was given for the discussion of this resolution and it is not without your permission, Sir, that the Government can take away that right from us. If of course you do not agree that this non-official business should have priority over Government business then we cannot get the non-official business transacted. Otherwise, I feel that we are entitled to have tomorrow as the non-official day and more so, because before we adjourned you assured us that you would give us one day for the discussion of non-official business. The present resolution is about the important subject of food problems in the State and I hope, Sir, you will not deprive us of the opportunity.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, my friends are overlooking the important rule that the Government business in all cases shall have priority on the floor of the House and subject to that generally Fridays may be made available for discussion of the non-official business.

Mr. SPEAKER: Let us stop that discussion now. I shall see to it later.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, they may have any day for non-official business afterwards. Let this Bill be passed first.

- 8]. SIBNATH BANERJEE: Then the Assembly will be over.
- Mr. SPEAKER: Leave the matter to me.
- 8j. CHARU CHANDRA BHANDARI: Sir, rule 19 says "Except at the meeting on Friday of each week, Government business, unless the Governor otherwise directs, shall have precedence at every meeting of the Assembly, provided that, with the permission of the Speaker, Government business may have precedence on any Friday. \* \* \*". So, Sir, Government business cannot have precedence on Fridays.
- 8j. SIBNATH BANERJEE: Sir, 1 was interrupted by other speakers and I could not speak on this subject. Sir, my point is that there is something like an unwritten constitution. Sir, I have been in this House for the last 14 years and I have found that only when Dr. Roy has been here there is always so much objection to give a non-official day. Otherwise throughout the whole period when other eminent persons sat there as Chief Ministers we had always one day in the week, namely, on Friday as non-official day. If there was no non-official business there was no sitting but Government business was not taken on Fridays. That is the tradition of this House and if Dr. Roy would look into the proceedings of the House it will be seen that it was so for the last 12 years or more.
- Mr. SPEAKER: I have heard your point. Some discretion is left to me and it is for me to consider as to how far this allotment of non-official business can be done when there is very important Government business. However, I do not want that there should be any further discussion over this just now.
- Dr. 8URESH CHANDRA BANERJI: মাননীয় স্পীকার নহোদর, আরি একটি পুশু জিল্লাসা করেছি, পুশুটা হচেচ পূজার ছুটির আগে আপনার কাছ থেকে আতাস পেয়েছিলাম যে পূজার ছুটির পর একটা দিন আমাদের non-official day দেয়া হবে। সেই অনুসারে আগামী কালকে আবরা non-official day করবার জন্য আপনার কাছে দাবি পেশ করছি। এবং আমি জানতে চাই, Oppositionএর পক্ষ থেকে, আগামী কলাকে non-official day রূপে পাব কিনা ?
- Mr. SPEAKER: Government has explained its position just now. I have already stated that let me consider this matter as to how far this can be done and then I will let you know about it.
- Dr. SURESH CHANDRA BANERJI: Tomorrow জেনে আবাদের কি লাভ হবে। কারণ আবাদের তৈরী হয়ে আসতে হবে, সেই জন্য আজই জানা দরকার, আর কাল যদি না দেন তবে একটা definite assurance দিতে হবে যে আগামী শুক্রবারে পাবো।
  - Sj. SIBNATH BANERJEE: আগামী শুক্রবার কেন! কালই কেন পাব না!
  - Mr. SPEAKER: No date can be given now.
- Dr. SURESH CHANDRA BANERJI: আবি আবার বলছি, Sir, যদি কাল না দেন, তবে এর পরের গুক্রবারে দিতেই হুবৈ। কিছু আবার মতে কালই দেয়া উচিত। যধন আবরা এই business order পেরেছি তবনই বলেছি এতে non-official day বে নাই এটা ধুব অন্যার ছরেছে এবং গভর্ণবেশ্টের দেই কাজের আবরা নিশা করেছি। এবং তবন আপনার দৃষ্ট আকর্ষণ করে বলেছিলাব বে পূজার ছুটির পরে দেবা হবে। আপনিও পরিকার করে বলেছিলেন বে পূজার ছুটির পর দেবা হবে। কিছু এবন

অন্যক্রপ কেন হচেচ আমরা বুবতে পারছি মা। আশা করি আপনি আমাদের উপেকা করবেন না। গতর্ণবেণ্ট কেন এত তাড়াইড়া করছেন বুখতে পারি না। শত শত clauseএর একটা Bill ৬।৭ দিনে হতে পারে না।

- Mr. SPEAKER: I have heard your point but you cannot have the day tomorrow.
- 8j HARIPADA CHATTERJEE: কেন আমরা non-official day পাব না। যদি আতবড় Hindu Code Bill বন্ধ ধাকতে পারে, তবে এটা পারে না কেন? Electionএর আগে এত বড় একটা Bill পাশ করাটা এমন কি জরুরী ব্যাপার হয়ে পড়ল? তার চেয়ে চের বেশী দরকারী যে খাদ্য-সনস্যাটা, আনরা কালই আনোচনা করতে চাই। এটা আমাণের প্রাপ্য।
- 8J. SIBNATH BANERJEE: Mr. Speaker, আপনি আপনার discretion use করবেন বলেছেন এটা আপার কথা। কিন্তু প্রধান মন্ত্রী যে বলেছেন, ''যদি রাত্রি ১১টা পর্যন্ত আমরা বলে থাকতে রাজি থাঁকি তাহলে একটা দিন non-official dayরূপে পেতে পারব।'' সেই জন্য আমার submission হচেচ এই যে যখন discretionটা আপনি use করবেন তখন যেন সেটা ঐদিকে (pointing to the Government benches) use না করেন। রাত্রি ১১টা পর্যন্ত যদি হয় তাহলে বারা আমাদের সব কিছু কাগজপত্র supply করছে, এবং যারা type করছে তাদের খুব অস্থবিধা হবে। তবে যদি আমাদের সকলকার থাকার ও খাওয়ার ব্যবস্থা এখানে করে দেন তাহলে বিষয়টা ভাবা যেতে পারে (laughter). ক্রিজ আমরাই এতে only party নই, অন্যদেরও এতে যে অস্থবিধা হতে পারে একথাটা Chief Minister ভূলে গেছেন, তিনি যদিও লাত্যাণ্যের ছারা যা কিছু এখানে করে নিতে পারেন, কিন্তু এ কথাটা ভোলা উচিত নয়।
- Mr. SPEAKER: Order, order. You have taken an unusually long time over this matter. The demand for a private day is there and the Opposition is justified by simply bringing it to my notice. The question is as to what has happened in relation to it and when it can be arranged. I have already stated that I shall look into the matter and let you know. But so far as tomorrow is concerned it is out of the question.
- 8j. HARIPADA CHATTERJEE: Why, Sir? There is food crisis in the country and with folded hands we pray—
- Mr. SPEAKER: With regard to certain resolutions consent has to be taken of the Governor.
  - Dr. SURESH CHANDRA BANERJI: No, Sir, it is not necessary.
- Mr. SPEAKER: Order, order. I shall make enquiries and let you know at the end of the day's sitting. There is a demand for a private day and there is the discretion of the Speaker in the matter. I cannot allow any further discussion on it.
- Dr. SURESH CHANDRA BANERJI: On a point of information, Sir. Under rule 19 of our procedure rules every Friday should be a non-official day each week. You may use your discretion for one or two days to have Government business on Fridays. But you cannot use your discretion in the matter for every Friday.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, is it open to any member of the House to question the ruling of the Chair?

Mr. SPEAKER: Order, order, I cannot allow any further discussion.

#### COVERNMENT BILL.

## The Calcutta Municipal Bill, 1951.

Clause 42.

- Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 42, lines 1 to 6, for the words beginning with "The State Government" and ending with "such requisition", the words "The State Government may require the Corporation to furnish them with—
  - (a) any return, statement, estimate, statistics, or other information regarding any matter under their control;
  - (b) a report on any such matter; or
  - (c) a copy of any document in their charge",

be substituted.

- Dr. SURESH CHANDRA BANERJI: Sir, আমার যা বলবার তা বলছি। আমার বন্ধবার তা বলছি। আমার বন্ধবার তা বলছি। আমার বন্ধবার অতান্ত সরল। ১৯২০ সালের যে আইন ছিল তার যে ধারা এবং এই আইনের যে ধারা ৪২নং তার মধ্যে বিশেষ কোন পার্থক্য নাই, তবে এই ভাষা বদ্লানোর কারণটা কি আমি তা ভালো বুখতে পারছিনে। এই বিল সন্বন্ধে আলোচনায় আমি আগাগোড়াই বলে আসছি এটা একটা reactionary Bill. এর হারা সমন্ত ক্ষমতা ওঁরা Corporationএর হাত থেকে কেড়ে নিয়ে মাচেছন। আমি আগেই বলেছি একটা মাত্র authority—Corporation এটা মানি। কিন্তু আর যে দু'টা authority হলো তাদের আমরা মানতে পারি না। কারণ ভারা Corporationএর কেউ নয়। আগে যা ছিল, তাই যদি করতে চান, তাহলে ভাষা বদলানোর কারণ কি আছে গ
- \$\int \text{HEMANTA KUMAR BASU:} এই গভর্ণবেণ্ট যে নীভিতে এই বিলটা এনেছেন, সেই নীভিব নীভিতেই এই clauseটাও তৈরী। কর্পোবেশনের কাছে যদি কাগজপত্র চেয়ে পাঠানো হয় তা'হলে জানতে পারা যায় যে কার কাছে সেটা চাওয়া হচেছ। কিন্তু তা না কবে যে কোন municipal authority ব কাছে থেকে কাগজপত্র চাইবেন, তা ছারা স্পষ্টই বোঝা যাচেছ যে কর্পোবেশনের কোন কর্তৃত্বনেই, সকল কর্তৃত্বই হচেচ গভর্গনেণ্টের। স্থৃতরাং এই clauseএর ছারা স্পষ্টই দেখা যাচেছ,—Corporationএর কর্তৃত্বকে খাটো করা হচেচ, সেইজন্য আমি মনে করি ডা: স্থ্রেশ ব্যানার্জী মহাশ্যের যে amendment সেটা গৃহীত হওয়া উচিত।

The Hon'ble Dr. BIDHAN CHANDRA ROY:  $\operatorname{Sir},\ \mathbf{I}$  oppose the amendment.

The motion of Dr. Suresh Chandra Banerji that in clause 42, lines 1 to 6, for the words beginning with "The State Government" and ending with "such requisition", the words "The State Government may require the Corporation to furnish them with—

- (a) any return, statement, estimate, statistics, or other information regarding any matter under their control;
- (b) a report on any such matter; or
- (c) a copy of any document in their charge",

be substituted, was then put and lost.

The question that clause 42 do stand part of the Bill was then put and agreed to.

## Clause 43.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 43, lines 3 to 6, the words beginning with "and any officer" and ending with "State Government" be omitted.

- Dr. SURESH CHANDRA BANERJI: আৰি কোঁচ omit করতে বলেছি নেটা এই নুডন আইনে introduce করা হরেছে। এই clause 42 যার আলোচনা এখন হল অত্যন্ত আপিজিলনক। এই claused State Government কোন officerce depute করতে পারবেন to inspect the Corporation office—এটা অত্যন্ত আপিজিলনক বারা। এই কৰ আপিজিলনক বারা। এই কৰ আপিজিলনক বারা Government Corporationএর ক্ষরতা ধর্ব করছেন, এই জিনিঘটা এখানে এই বিলটার হারা বিশেঘভাবে শুকট হচেছ। এর হারা ১৯২৩ সালের আইনকে বিকৃত করা হচেছ। '২৩ সালের আইনে Corportionএর বেশব প্রপতাম্বিক অধিকার ছিল তা একটু একটু করে এই রকন বিভিনু বারার হারা কুনু করা হচেছ। এই বে "The State Government may depute any officer of Government to inspect or examine any municipal department or office, service, work or thing and to report thereon and any officer so deputed may for the purpose of such inspection or examination exercise all the powers conferred by section 42 on the State Government. এটা অত্যন্ত আপত্তিজনক এবং এইজন্যই আমি এই সংশোধনী পুদ্ধাৰ উৎপাপন করেছি এবং আশা করি Government এটা বেনে নেবেন।
- Sj. HEMANTA KUMAR BASU: Dr. Banerjia amendment আমি সমর্থন করছি। এখানে এই অবস্থা গাঁড়িয়েছে যে, Government যে officerকে পাঠাকেন তিনিই যেন কর্তা, তাঁরই যেন সব ক্ষমতা এবং Corporationএর কোন ক্ষমতা নাই। আমি মনে করি Governmentএর officer পাঠাবার অধিকার থাকলেও তাঁকে এত ক্ষমতা দেওয়া উচিত নয় যাতে লোকের মনে এই ধারণার স্ষষ্টি হতে পারে যে, তাঁর ক্ষমতা Corporationএর চেয়ে বেশী।

The Hon'ble Dr. BIDHAN CHANDRA ROY:  $\operatorname{Sir}$ , 1 oppose the amendment.

The motion of Dr. Suresh Chandra Banerji that in clause 43, lines 3 to 6, the words beginning with "and any officer" and ending with "State Government" be omitted was then put and lost.

The question that clause 43 do stand part of the Bill was then put and agreed to.

## Clause 44.

The question that clause 44 do stand part of the Bill was then put and agreed to.

## Clause 45.

**Sj. BIMAL COMAR CHOSE:** Sir, I beg to move that in clause 45(I)(c), lines 3 to 6, the words beginning with "and, if necessary" and ending with "by that part" be omitted.

Sir, in this clause the State Government have taken certain powers. If there should be any default on the part of-

- Mr. SPEAKER: Before you speak let me have the other motions moved also.
- **Sj. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that in subclaus: (I)(c) of clause 45, in lines 3 to 6, the words and figures "and, if necessary, that the consolidated rate or other taxes authorised by Part IV shall be levied or increased, but not so as to exceed any maximum prescribed by that Part" be omitted.
  - Mr. SPEAKER: Mr. Ghose, you also move your next motion.
- 8J. BIMAL GOMAR CHOSE: If the Government have accepted the other one, I think it automatically should have been accepted.
  - Mr. SPEAKER: Then it is not moved.

- 8]. BIMAL COMAR GHOSE: It is moved; if the Government have not accepted it, I move.
  - Mr. SPEAKER: All right, you move it formally.
- 8]. BIMAL COMAR GHOSE: Sir, I beg to move that clause 45(3) be omitted.
- 8]. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in subclause (3) of clause 45, in lines 1 to 3, the words, brackets and figure, "in addition to or instead of directing under sub-section (1) the levy or increase of the consolidated rate or other taxes," be omitted.

I beg to move that in sub-clause (3) of clause 45, in lines 6 to 8, for the words "the said rate or all or any of the said taxes, or of both the said rate and all or any of the said taxes," the words "the consolidated rate, the taxes, fees and dues authorised by this Act, or any of them," be substituted.

**3].** BIMAL COMAR CHOSE: Sir, I beg to move that clause 45(4) be omitted.

Before I speak I would like somebody from Government to explain as to what is the significance of 90A and 90B in relation to the clause we had originally in the Bill, because we did not get this amendment, at least I did not get this beforehand. I do not know what Government have accepted. We should know before we pass anything as to the implications of what we are passing.

The Hon'ble Dr. BIDHAN CHANDRA ROY: The original Bill said that if there was any payment to be made that payment could be made by the Corporation in two ways—either by increasing the rates—that was in the original Bill, increasing the rate by 33 per cent., if necessary, or by borrowing. What the Government amendments now propose is to remove the question of increase of the rates altogether but to retain the power of the Corporation to borrow, if necessary, for the purpose of meeting its expenditure. That is the main purpose for which the amendments have been given. Mere omission of sub-clause (4) will not cover because if you omit the whole of sub-clause (4), where is the money to come from to meet the expenditure? If the Corporation can pay out of its own revenues, very good; if not, our first proposal was that the Corporation might be asked to levy higher taxes in order to pay for the cost. That we have dropped on account of the amendments of the Opposition. Therefore what we say is, while increase in the rates to 33 per cent. is dropped, the power of the Corporation to borrow in order to meet the cost should be retained. That is why sub-section (4) cannot be omitted.

Sj. BIMAL COMAR CHOSE: I am thankful to the Chief Minister for the explanation just now given, but I do not, Sir, understand as to why if the Corporation has no funds to pay, the Corporation should be made to borrow, because that would ultimately be a burden on the rate-payers. Whether it is by way of increasing the consolidated rate or by borrowing on behalf of the Corporation for whose servicing the Government accepts no responsibility, the Corporation will have to pay that amount. Now, Sir, what I feel is this, if the Corporation should have been functioning in such a manner that it was not doing its duties, then there are enough sections in this Bill by or under which the Government may take appropriate action. The Government should not allow the Corporation to come to such a pass that if any action had to be taken by the Government which entails certain expenditure, a situation would arise in which the Corporation will not be able to pay out of its own fund that amount of cost and that it should be

necessary on the part of the Government to force the Corporation to borrow in order to make that payment to the Government. You look, Sir, at this incongruity of the situation. If the Government can visualise that situation, should not Government have intervened a long time ago and not allowed the Corporation to come to that pass? What the Government is now going to say is this: a man has become insolvent; put some more burden on him because the guarantor is at the back of him and the guarantors will be made to pay, the guarantors are the rate-payers. The Corporation will have to provide the money. Government will look on merrily and do nothing and things come to a very bad situation. Then Government wakes up one fine morning and takes action and spends money as they like. They find that the Corporation have no fund. Therefore the Corporation have to borrow, and the Corporation borrow, and the rate-payers have got to make good that amoun! Sir, I do not see the reason behind it, or the fairness of the demand that has been put before the House. I would therefore really urge upon the Chief Minister to accept my motion and not insist on this provision, because as I say Government have sufficient power to intervene in the matter of the administration of the Corporation, and no Government should allow the Corporation to come to such a pass that a provision and power like this should be considered necessary. That is my point of view.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, my reply is this. My friend there is blowing hot and cold at the same time. Once he says that Government is taking too much power. Then he says, why should not Government always interfere and find out where the Corporation is going bad. The intention of the whole section here is to let the Corporation function as long as possible without interference from the Government. If you read the whole section, it will be quite clear. It says "If within the period specified in any order issued under section 44 (the section is there) any action directed under that section has not been duly taken, or cause to the satisfaction of the State Government is not shown under the proviso to that section, the State Government may...... etc." In that section. the Corporation is asked to perform certain duties to the satisfaction of the Government, and it is the duty of the Government to see whether the Corporation has done it to the satisfaction of the Government or not. Supposing there is a sewer which is broken, the Corporation will not do it. The Government asks them to do it in the interest of the public, but if the Corporation does not do it, then only Government will employ somebody to do that work, but why should Government pay for it? It is the work of the Corporation. If the Corporation had done it themselves they would have to pay for it. Why should the Government pay, and if the Government employs some one to do the work the money must be paid to soriebody and the Corporation must pay. If the Corporation has no fund, the Corporation must borrow money for the purpose, and the Government will allow the Corporation to borrow money for that purpose if it is to meet the requisition of the Government. Therefore, Sir, I oppose the amendment moved by Mr. Ghose.

The motion of Sj. Susil Kumar Banerjee that in sub-clause (1)(c) of clause 45, in lines 3 to 6, the words and figures "and, if necessary, that the consolidated rate or other taxes authorised by Part IV shall be levied or increase! but not so as to exceed any maximum prescribed by that Part" be on itted, was then put and agreed to.

The motion of Sj. Susil Kumar Baneriee that in sub-clause (3) of clause 45, in lines 1 to 3, the words, brackets and figure", in addition to or instead of directing under sub-section (1) the levy or increase of the consolidated rate or other taxes," be omitted, was then put and agreed to.

The motion of Sj. Susil Kumar Banerjee that in sub-clause (3) of clause 40, in lines 6 to 8, for the words "the said rate or all or any of the said taxes, or of both the said rate and all or any of the said taxes," the words "the consolidated rate, the taxes, fees and dues authorised by this Act, or any of them," be substituted, was then put and agreed to.

Mr. SPEAKER: Motion Nos #88 and 90 fall through. Motion No. 91 also falls through. Now I shall put the main clause to vote.

The question that clause 45, as amended, do stand part of the Bill, was then put and agreed to.

- 8j BIMAL COMAR CHOSE: On a point of order, Sir. Why was not motion No. 91 put to vote? It does not fall through.
- Mr. SPEAKER: This objection should have been raised when I mentioned that motion.
- 8j. BIMAL COMAR CHOSE: Sir, there are so many amendments that it takes at least one minute to realise as to whether a motion is in order. If you think, Sir, that just at the moment you say that a motion falls through we should rise then, Sir, I may say that it is not possible. We have to look into it.
- Mr. SPEAKER: I may tell you this that had motion No. 90 been carried, then amendment No. 91 would have been in order; otherwise not.
  - SJ. BIMAL COMAR CHOSE: It does not necessarily follow.
- Mr. SPEAKER: Clause 45(4) says "The provisions of Chapter IX shall apply to any loan raised in pursuance of sub-section (3)."
  - 8j. BIMAL COMAR CHOSE: That may or may not be applicable.
  - The Hon'ble Dr. BIDHAN CHANDRA ROY: Let it be put to vote.

The motion of Sj. Bimal Comar Ghose that clause 45(4) be omitted, was then put and lost.

#### Clause 46.

The question that clause 46 do stand part of the Bill, was then put and agreed to.

## Clause 55.

- **8J. CHARU CHANDRA BHANDARI:** Sir, I beg to move that in clause 55, for sub-clause (1) the following be substituted, namely:—
  - "(1) Subject to the provisions of the Bengal (Aliens) Disqualification Act, 1918, every person of the age of 21 years or above, who owns, occupies or resides in any premises or exercises any profession, trade or calling within a constituency shall be qualified as an elector of that constituency if such person has ordinarily and actually resided in Calcutta during the greater part of the year last preceding in which the electoral roll is prepared or revised."
- SJ. CHARU CHANDRA BHANDARI: বাননীর স্পীকার বহোদর, এই বে clause 55 এটা হচ্ছে franchise স্পাকীর। আবি বে সংশোধনী পুভাব এখানে পেশ করলাব সেটার মধ্যে adult franchise এবং বাদের residențial qualification আছে, তাদের কি হবে বলা হরেছে। কারণ Investigation Commissionএর reporta adult franchise স্পার্কি ক্রা আছে এবং অনেক্ষিন থেকে ক্লাধারণের দাবী হচ্ছে এই বে সে ক্লিকাতা কর্পোরেশনই হোক বা কন্য কোন municipal

institutionই হোক, তাৰ বৰো adult franchise introduce কৰা। এক্ষেত্ৰেও Investigation Commission সেই recommendation কৰেছিলেন, কিছ সরকার সেটা পূহণ করেননি। আবাদ্ধ বনে হয় এই round-about wayতে না গিরে, এখানে Corporationএর কার্যা পরিচালনা সম্পর্কে কেন্দ্র কুর্নীতি পুকাশ পাচেছ সেওলি সমন্তই সংশোষিত হ'ত এবং ঐ বুর্নীতি ভবিষাতেও নিবারিত হ'ত মদি adult franchiseএর'ব্যবয়া করা হ'ত। Adult franchise হ'লে, অনেক বুর্নীতি Corporationএক মধ্যে আসতে পারত না। আমি উদাহরণয়রূপ বলছি, যে সমন্ত investigation——

8j. HEMANTA KUMAR BASU: On a point of order, Sir, এটা কি clause 55 আবোচনা হচেছ? তাহৰে 45(4) clauseটা গেল কোৰায়?

Mr. SPEAKER: সেটা omit হয়ে গেছে।

The Hon'ble Dr. BIDHAN CHANDRA ROY: আপনার এতকাণে যুম ভালাল ং

Si. CHARU CHANDRA BHANDARI: আদি উদাহরণ অরপ একটা কথা বলচি। Investigation Commission Reports যে ব্যস্ত দুৰ্নীতির কথা কর্পোরেশন সম্বন্ধে বলা আছে, ভাত मारबा त्वनीत जांशरे मान इस assessment नान्नार्क। এर assessment नान्नार्क त्य नमक प्रमीिक इस त्रोक्ते काता करतन ? छातारे करतन याएन कनिकालाय यत्रवाड़ी आहि, याएन tax निरु स्य consolidated rated এবং তারাই হয়ত কর্পোরেশনের কর্মচারীদের ও Councilorদের influence করে থাকেন। Corporationএর এই সমন্ত কর্মচারী বা কাউন্সিলাররা influnced হতেন না যদি তাঁরা adult franchise-এর ভোটে নির্বোচিত হতেন। তার property থাক বা না থাক, সে কলকাতার resident হলেই হতে এবং আমি বখন তার ভোটে নির্বোচিত হয়ে এসেছি, তখন আমাকে তার কথা শুনেই কাল করতে হবে। किছ বাঁর কলিকাতার বর, বাড়ী ও সম্পত্তি আছে তাঁর। যদি ভোটার হন এবং তাদের হার। মাঁর। নির্বোচিত হবেন, लामित शाता এই गमछ मुनीिं रिश्या गछन । এই मुनीिं यमि नम्र कतर्छ रस, छारान franchiseh आजर wide करत निरु दरन। यात्रा Councillor दरन अवः जाँएन प्रशेष्टन स्य नन्छ कर्माना शास्त्र आपन কোন তম খাৰুবে না যদি এই franchiseটা অতান্ত wide হয়। যদি adult franchise হয় তাহ'লে এখানে কারও কোন personal interest থাকৰে না। কারণ, বারা বাড়ীর owner বা occupier যানের consolidated rated tax দিতে হবে, তারা সব সময়ই চাইবে যাতে assessment কম খাকে। এট সমন্ত লোকদের কমিয়ে দিয়ে অন্য লোক করা হোক। তা না হ'লে এই সমন্ত লোকদের interest হবে कि করে তাদের সম্পত্তির assessment কম করা যায়। সেইজন্য আয়ার মনে হয় Corporationএর মধ্যে যে সময় দনীতি রয়েছে সেগুলি ৰোচাৰার একমাত্র direct পথ হচেছ এই adult franchiseএর ব্যবস্থা করা। সেটা না করে, নানা পথে বুরে গিয়েছেন। এর কলে Corporationএর যে কার্য্য পরিচালনা সেটা বেমন कार्तन शरहाड. গভৰ্ণবেণ্ট বন্তই justified ककन, তেমনি অনেকখানি Corporationএর ক্ষতা হরণ कता शरहरह। किन्न यमि adult franchisedत बाववा कतरूपन छात्रमा छात्र हे । कात्रम, धनन বহ লোক আছে বাদের বাড়ী নেই, অধচ তারা এখানে বাস করে বা ব্যবসা করে। কিছা জন্য কোন রক্ষ ভাবে থাকে. তাদের উপর যদি ভোটের অধিকার থাকত তাহলে এই রক্ষ একটা জিনিম হ'ত না। এইজন্য चात्रि এই amendmentका अपनिष्ट्। शर्जनंदनके विष छात्र policyका शत्रिवर्श्वन करत अक्षे शहर करतन তাছলে তাল হয়। এই বিল যদি এখন পাশ হয়ে যায় তাহলে আবার মনে হয় অনুর তবিষ্যতে গ্রুণ্টারণট বঝবেন, তাঁরা এই যে তিনটা authority municipalityতে করছেন, triarchy স্টে করছেন, যার बना जीवन यानिक भागात्मत्र निक त्यादक शरहा की प्रशासिक विक proper wayto कांच क्यांट होन. তা হ'লে adult franchiseএর দরকার আছে। এবং এটা যদি করা হয় তা হ'লে কাউন্সিলরদের কাল করতেও স্থবিব। হবে। কারণ বাঁরা নির্বোচিত হবেন, তাঁরা ত্রশু tax-payerদের ভোটের হারাই নির্বোচিত হবেন ना. এबारन वह लोक बोकरव वारमब assessment वांफ़ोन नहरक रकान interest बोकरव ना, छोबा छव हाहेरव त्व Corporation बार्फ जनजार हरन। त्यर धना धानि अप्तर्गरहरू धनुरतान कृति धानात विर reasonable amendmentটা তাঁৱা প্ৰহণ কৰন।

8j. HEMANTA KUMAR BASU: নাননীর শ্রীকার মহোদত্র, চারুবাবু বে পুস্তাব এনেছেন আমি তা সম্পূর্ণভাবে সমর্থন করছি। এই ক্ষমতা বিশেষ করেকজন লোকের হাতে রাধবার জন্য সব সমত্র চেটা

করা হচেছ, তার উজেশ্য হচেছ বে franchise বত কর রাধা বার। আবাবের দেশে বধন বিদেশী Government किन, जर्बन जावा नव कमजा जीवा निष्यापन शास्त्र वांचनात कमा और franchise वस का जातका ৰধ্যে সীমাৰদ্ধ থাকে তাই করেছিলেন। এবং তাদেরই বে সমন্ত অনুচর, তাঁদেরই হাতে এই ক্ষমতা রাখতেন। किंद बाबायन काठीत बार्त्मानरानन करन कनगानान छाएन बरानकनीनि बनिकान बानात करन निराह । बाकाक कमनाबातत्वत शास्त्रहे (मरनेत बाट्टेक्सर) अरमहा । त्यरे कमा चामता (मर्वाह त्य franchise त्याँ (मारकत হাতে এনেছে এবং তার ফলে Corporation के योजा निष्यापत्र vested interest बान जान कहाजा. তাদের শক্তি কবে পিরেছে এবং তাদের শক্তি যথেচছভাবে ব্যবহার করবার স্থাবিধাও কমে গিরেছে। Corporationএর দ্নীতির জন্য Government Corporationকে supersede করেছিলেন এবং এখন আবার তাঁরা নতন করে একটা বিল আনছেন এবং এর একমাত্র উদ্দেশ্য হচেছ জনসাধারণের franchise ক্ষিয়ে দেওরা। কিন্ত Corporationএর এই দুর্নীতি নিবারণ করা যাবে না যদি franchiseকে আরো বেশী করে ৰাডিয়ে দেওয়া না যায়। আজকে franchise বেড়েছে বলেই বহ হিতকাৰী লোক এর মধ্যে আসতে পেরেছে এবং আরো বেশী লোক এর মধ্যে আসতে পারে যদি এই franchiseকে আরো wide করা যায়। बाब्रोनिजिक वाशातिष धरे २) वरशतित ছেলেদের ভোটের অধিকার দেওয়ার ব্যবস্থা করেছেন এবং Parliamentএর memberal adult franchiseএর হারাই নিবর্ণাচিত হবেন এবং তাতে করে দেশের জনসাধারণের রাজনৈতিক সচেত্ৰতা অনেক বেডে থাবে। Assembly, Council ও Governmental Institutionএর ৰখ্যে তাদের প্রতিনিধিরা অধিকতর স্থযোগ স্থবিধা পাবে। কিন্তু চারু বাবু যে প্রন্তাব এনেছেন যে কলিকাতার বালা নাগরিক Electoral Roll পদ্ধত হবার এক বংশরের অধিকাংশ শুমুর কলিকাডায় থাকবেন যে কোন कांत्रान होक. व्यर्गाप त्य कांन तकराय कांक निरंग छात्र। पोकरवन, वनः याँगापत वयत २० वहत हरा प्राह्त, वह রক্ষ যার। নাকি নাগরিক তাদের সকলেরই কর্পোরেশনের ব্যাপারে কিছু না কিছু স্বার্থ সংখ্র থাকবেই স্বতরাং তাদের সকলেই elector হওয়ার অধিকার দেয়া হোক। এবং আমি মনে করি কর্পোরেশনের দ্বীতি দর করার জন্য যদি পুক্তই কাজ কিছু করতে হয় তার একমাত্র উপার franchise বাড়িয়ে দেয়া। সেইটা ना করে ঘেষনভাবে এটা রয়েছে যদি এগিভাবেই পাশ করা হয় তাহলে এটা গণতম্ববিরোধী আইন হবে। ক্ষিত্ব যদি adult franchiseএর নীতিটা গৃহীত হয়, তবে এই বিলে আরো যে সকল ক্ষটী র্রেছে তার ক্তকটা সংশোধন হবে। অত্এব আমি মনে করি গভর্ণমেণ্ট চারু বাবর এই amendmentটা গৃহণ করবেন।

81. BIMAL COMAR CHOSE: Sir, this provision is also a very important one, as the mover of the Bill will agree, just as the provision relating to the appointment of the Commissioner was a very important one. This clause is in relation to election and franchise, viz., clause 55, Sir, we had already made our submission at the consideration stage to the Chief Minister on this provision, and it appears that we had not been able to convince the Chief Minister and probably he would still not be convinced by our arguments now. What I do not understand, Sir, is this: in the present Bill the franchise has been liberalised but the Government does not go to the extent of allowing adult franchise. What is the harm? Now, a Bill has been brought forward for the reason that there had been maladministration in the Corporation; the Corporation was not being conducted properly; and this Corporation which was behaving very improperly was elected on a franchise which was very much more restricted than what is provided in the Bill. But still the Corporation did not function properly. If there be any belief anywhere that property qualification or license fee-paying qualification or something of that nature would be able to return a better type of candidates, that has been falsified by our present experience. Further the Government has agreed to liberalise the franchise. But what then stands in the way of accepting adult franchise? If the Constitutent Assembly has provided for adult franchise for the administration of the whole country what is the fear that things will go wrong if that is provided for in the case of Corporation election. The Chief Minister said that he did not believe that adult franchise would bring in a panacea. I do not say that it will bring in a panacea, but I do not think that this provision also will bring in any panacea, on the basis of the same argument. But the question is, if

on principle it is conceded that adult franchise is what we should be siming at, then I should have to be convinced if adult franchise is to be rejected that if you provide adult franchise in the place of the franchise provided in the Bill, things would be worse. I say there is no reason to believe that things will be any worse if we have adult franchise. As it is, we feel that things could not have been worse even under the present dispensation where franchise is very much more restricted. So the argument naturally arises as to why we should not accept what we agree to be good on principle.

Then I will also adduce another argument which the Chief Minister has in another context advanced on many occasions. For example, in connection with the appointment of the Commissioner, he said that if it were working well in Bombay and Madras, why not accept it and see how it works here? Sir, I say the same thing. If adult franchise has worked well in Bombay, why not accept it here? You will accept bad things of every constitution and good ones of neither. Whenever you want to have something which is not democratic, which is not progressive—whether it is in Hondulu or in Timbacktoo, you accept it. But if anything is democratic which is working satisfactorily elsewhere on progressive lines you turn round and say—no, it would not be any good here. Why put different arguments—to repeat the words of the Hon'ble Chief Minister—why blow hot and cold in the same breath? If you accept one thing of one place, accept the other thing of that place as well.

There is still another argument. The Government itself had appointed an Investigation Commission, the members of which were not people who were supposed to be ultra-democratic. They were people who had stakes in society, and even they had suggested that there should have been adult franchise. The franchise that has been provided for in this Bill is something which was, I believe, recommended by the then Administrator of the Corporation, and I think it was also placed before the Investigation Commission for its consideration. The Investigation Commission examined and rejected it on very good grounds. Their argument was this—the Commission do not believe that there is any guarantee that the property qualification or the tax paying qualification will necessarily put the suffrage in the hands of the independent and thinking class of people; the actual experience under the existing system does not encourage such a view. And the Commission went on to say—it is the ultimate justification of democracy that it does not keep the common man perpetually in leading strings but teaches him in the school of experience to work out his own salvation. In any case the Commission are not prepared to condemn adult franchise as a basis of municipal elections before giving the system a fair trial.

Sir, one argument that was raised against allowing adult franchise was that there was a floating population in Calcutta. That argument was raised by my honourable friends Mr. Khuda Bukhsh and also Mr. J. C. Gupta, but as the Investigation Commission itself had said that that could be circumvented—that could be avoided—by a provision of this nature, viz., that every person, male or female, who has attained the age of 21 on a specified date shall be qualified as an elector in a constituency (i) if for a period of one year up to the specified date he or she has resided in a dwelling in the city, or (ii) if he or she, being liable to pay, has paid to the Corporation any rate, tax or fee imposed under the Calcutta Municipal Act in the year next before the year of election. Now, if you have a provision of that nature, then the question of the floating population being enfranchised would not arise. So, Sir, the whole thing boils down to this that we do not see any reason—at least Government have not adduced any reason—which would appeal to any rational person as to why adult frachise shall not be functioning for the Corporation election. They have accepted the principle

of liberalisation, but they have not gone to the extent of adult franchise. Sir, I said at the consideration stage that if you want the Corporation to be elected on right lines and if you want it to function properly, then it is essential that you should at least try and see that persons who would be elected would at least be of the right type or at least be such as would not be able to manœuvre elections. One advantage of the adult franchise is that manœuvring becomes difficult, because the electorate becomes very large. So, from that point of view also I think that if the Government really mean to improve matters in regard to the administration of the Corporation, they should have welcomed the introduction of adult franchise.

Then, in connection with the election also they have not accepted the recommendation of the Investigation Commission for setting up an independent body to conduct the election. So, I feel, Sir, that in not providing for measures which would ensure election on right lines, the Government have brought forward a Bill which is very unlikely to achieve the object they have in view. I still hope that the Chief Minister will give his serious consideration to this aspect of the matter, for he is the architect of this Bill. If this Bill, when put on the statute book, functions properly, it will redound to his credit. I hope, therefore, that he will see to it that the Bill passes out of this House in such a form as will be able to assure the proper functioning of the Corporation that we all desire.

8j. JYOTI BASU: Mr. Speaker, Sir, this clause which we are discussing at the moment shows how the West Bengal Government is afraid of the people—of the common people—and it also shows the contempt of this Government for the people of West Bengal. That is why probably, although the Hon'ble Chief Minister often talks loud about certain measures, certain provisions in Bombay and in other places, he is afraid to do the things which even the Bombay Government has done. Sir, I do not hold that this Government will give us anything even if there is adult franchise because I have seen and the people of Bengal have seen—have experienced—that even with adult franchise this Government is in a position because of its power, because of the different laws which it has put on the statute book—lawless laws and so forth—to manage elections and get its own people returned and so on. But all the same, people have fought throughout the ages for this adult franchise—it is a democratic measure which has not been given by the ruling class gratis to the people. People have fought for this.

Mr. SPEAKER: The House stands adjourned for 15 minutes for prayers. You will resume your speech after the prayers.

(The House was at this stage adjourned for 15 minutes.)

## (After adjournment.)

Sj. JYOTI BASU: As I was saying, Sir, although adult franchise is no panacea for all the evils of society, yet the democratic masses have fought for this right throughout the ages and it was after a bitter struggle against the ruling class that they have got this adult franchise—right to vote. Now, in 1951 a huge, bulky Bill is being brought before us by the West Bengal Government—one of its last Bills before it goes out of office, but this Government does not think that it is necessary even in this year 1951 to provide for adult franchise in this particular Bill. It is surprising, Sir, and what is the argument? The only argument that the West Bengal Government brings before us is that there is a large floating population in Calcutta and that population cannot be registered and, therefore, adult tranchise is not possible. A childish, foolish argument, Sir. I should have thought that in that case you cannot have adult franchise for the State-

Assembly elections, for Parliamentary elections and so on. So, I think that argument might have been given if there was no adult franchise for these other elections for the State Assembly and Parliament. But that has already been provided for and it has been provided for in our Constitution. Because the people—the people of Bengal, the people of India—are conscious enough to compel the Government to give us adult franchise, that adult franchise has been given to us—it is not as if the India Government has suddenly conferred this right on us as a sort of grace. Therefore, Sir, I do not think much argument is necessary on our side, but we would, all the same, like to hear once more if there are any new arguments, as far as the Government is concerned, why adult franchise is being denied to the people. I know that if a somewhat democratic Government comes into power, its first act will be to confer this adult franchise on the people of Calcutta. Therefore, Sir, I for one would scrap the whole of this Bill just because this one clause is there, just because this provision has been made denying adult franchise to the people of Calcutta. Therefore, I would tell the Hon'ble Chief Minister and the other Ministers sitting there opposite "let not this last Act of theirs be condemned not only by the people of Calcutta but by the people of West Bengal and the democratic people of India" and that even at this last stage they should alter this provision and provide for adult franchise in this particular Bill. That is all I have got to say and I, Sir, would like to know the argument of Government as to why it is denying us adult franchise, if there is any argument apart from the argument already given to us that there is a large floating population in Calcutta.

Si. SIBNATH BANERJEE: মি: স্পীকাব স্যার, এই provisionএ যেখানে ভোটাধিকারদের qualification সম্পর্কে বলা হয়েছে, তাব মধ্যে শবচেয়ে বড় যেটা আমাদের কাছে গেটা হচেছ প্রাপ্ত বয়স্কদের ভোটার ব্যাপারটা। এই ব্যাপাবটা এতবার বলা হয়েছে এবং শব জায়গায় স্বীকৃত হয়েছে, তার উপর যক্তি তর্কের বিশেষ প্রয়োজন নেই। আপনারা প্রথম যখন এই বিল আনেন, তখন এর বিরুদ্ধে যে সমস্ত **যুক্তি** एकं अर्फ का बहुबाव बंधन कहा स्टायहा। এখন **पावाह य गमछ युक्ति मिश्रमा स्टा**र्फ का काँका **छन्दन** ना, এইভাবেই বিল পাশ করবেন। অথচ এই ভাবতবর্ষের একটা জায়গায় general election আরম্ভ হয়েছে, গেটা হচেছ হিমাচন পুদেশ। পেখানে ৪০ হান্সার প্রাপ্তবয়স্ক লোক ভোট দিবার অধিকারী, এবং তাঁরা ভোট দিতে আরম্ভ করেছেন, বোধহয়, এতক্ষণে শেষ হয়ে গিয়েছে। অর্থাৎ এখানে ব্লাষ্ট কিভাবে চলবে সে সম্পর্কে প্রতিটি প্রাপ্তবয়ক্ষরা ভোট দিতে পেবেছে। এই ব্যবস্থা এখানে হচেছ, বিলাতেও আবম্ভ হয়ে গিয়েছে। সেখানে প্রতিটি প্রাপ্তবয়ন্ক লোকের ভোট দিবার অধিকার আছে। শুধু বিলাতে বা Groat Britainএ নয়, পৃথিবীর मानिष्य व्याशामी करसक वरभारतत मरशा कि तकम मैं।ज़ारव छा, छाँता निकाल कतरहन। व्यामारमत स्मरमा State Assemblyতে প্রাপ্তবয়ন্ক ব্যক্তিরা ভোট দিবার অধিকার পেয়েছে। সূতরাং Corporationএ ভারা কেন পাবে না, তার কোন युक्ति নেই। Bombayতে হয়েছে কলকাতায় কেন হবে না? এখানে floating populationএর উল্লেখ আছে তাতে বলা হয়েছে যে floating population হলে, safeguard রাধা যায় তাদের বেলায়, যারা ছয় মাধ এধানে থাকবে; তা হ'লে floating populationএর কোন অসুবিধা হয় না। তারপর আর একটা জিনিদের ব্যাপারে argument দেওয়া হয়েছে যে যারাই tax দেয় তারাই ভোট দেবে। কথাটা শুনতে ভাল লাগে—no taxation, no representation. কিন্তু আমি দ্বিস্কাণা করতে চাই যারা চার টাকা বাড়ী ভাড়া দেয়, তাদের include করা হয়েছে, কিন্তু যারা তিন টাকা চৌদ আনা বাড়ী ভাড়া দের, তাদের include করছেন না। অথচ সে যখন কলিকাতা কর্পোরেশনের উনুতিকল্পে contribute করছে তথন বে কেন ভোট দিতে পারবে না ? এখন অনেকে আছে, যারা কিছুই tex দিচেছ না, ভারাও খন্য রক্ষভাবে কলিকাতা কর্পোরেশনের উনৃতির জন্য contribute করছে। যেমন ধরুন, কারধানার workers, ুশুৰিক, যারা নিজেদের হর ৰাড়ী তৈরী করে থাকে না, যারা মিলের কোয়াটারসে থাকে, তারা পরিশুম করে নানাবিধ পুরোজনীয় জিনিম উৎপনু করছে, সে চটুকলেই হোক বা অন্য কোন আয়গায়ই হোক, এবং তদ্যার কলকারধানার ৰানিকরাই লাভবান হচেছ। বিদ মালিকরা ভোট দিতে পারবে, কিন্তু শুনিকরা কেন ভোট দিবার অধিকারী হবে না ? জাদের contributionএর হারা কলিকাতা সহরে তথা বাংলা দেশে, তথা ভারতবর্ষের ঐশুর্ব্য বাড়ছে। ध्यम कि य दक्का ताथ कि ना कि contribute कराइ, वरना indirectly काइन, य नमस सिनिय পরিশ্রম হারা উৎপনু হচেছ, তা তারা consume করছে এবং indirectly দোকান্দারদের সাহাধ্য করচে বভ হবার জন্য, তাদের সমৃদ্ধিশালী করবার জন্য। কাজেই এখানে এমন কেউ নেই, বে কিছু না কিছ contribute कराइ। जनग, वाँता भनीए शाकराउ कान किছ हवात जाना तहे। छात यमि जना करे বা সমাজতর মতবাদী দেশের শাসন ভার হাজে নেনু, ভাহলে হয়ত দেশে আর কেট বেকার থাকবে না। দেশে कांत्रित चर्जार तनरे, टेव्हा थोकरल नकनरकरे कांत्र एएश्रम यात्र। এবং चाक्र यात्रा ना थ्यर प्राथमत्र। অবস্থার বেঁচে আছে, তারা খেতে পেলে মানুষের মত বেঁচে থাকবে। বেকাররা আজ খেরে পরে বেঁচে আছে, অবশ্য খেরে পরে অত্যন্ত ধারাপভাবে আছে, আর যারা কাজ করছে তারাই বা এমন কি ভাল ভাবে আছে। তাদের যে dearness allowance ও pay দেওয়া হয়, তা না দেওয়ার মতই। কাজেই যদি adult franchise এব ৰ্যবন্থা করা হয় তাহলে দেশে কেউ বেকার থাকবে না। দেশের প্রত্যেকটি লোককে দেশের সন্দদ ও সমন্ধি ৰছির কান্দে লাগান হবে। তারপর এই refugeeর এখন একটা liability হরে রয়েছে কিন্তু তাদের यपि नत्यांश (पश्या यात्र जांदरन जांत्रा जांत्रात्म जेशत burden ना इत्त्र जांत्रात्मत्र sources of income ৰাজানর কালে গাহায্য করতে পারে। যদি প্রত্যেকটি প্রাপ্তবয়স্কদের ভোটের অধিকার থাকে ডাহলে তথনি এই बक्ब अको बाक्या राध्या नवार, जा ना राल नय। এই floating population अब या किन विकास या কিছ বলা হয়েছে, তার যদি একটু ব্যবস্থা কর। যায় যে কেউ যদি ছ। মাস এখানে পাকে তাহলে তারা ভোট দিতে পারবে তাহলেই এই floating populationএর ব্যাপারটাকে solve করা যায়। তারপর এই বিলে (यहे) drast रायाह, छाएँ बना श्रायाह, य यांवा tax निरुष्ट, वांड़ी छोड़ा शिनाद, यांता वर्ड वर्ड वांडीर ৰাদিলা, যারা direct contribute করছে তাদের উপবেই ভোটের অধিকার নির্ভর করছে। কিন্তু যদি একট চিত্রা করে দেখেন, যে যারা সহরে আছে, যেমন কলকারখানার শুমিক, যাদের কাজের হারা স্মান্তের সম্পত্তি ৰদ্ধি হচেছ, তাদের ভোটের অধিকার না দেবার কোন কারণ নাই। যুক্তির তাঁরা ধার ধারেন না, জ্বোর করেই পাদ করে নিচেছন। তাই আমি appeal করছি যে তাঁরা এই যুক্তিটা মেনে নিন, তাহলে তাঁরা ভবিষ্যং generation এর কাছে কৃতজ্ঞতা অর্জন করতে পাববেন। এটা যদি না করেন তাহলে Dr. Royce আমি ৰলবো যে তিনি একেবারে ভস্মে বি চালছেন। আপনাবা যদি দয়া ক'রে এটা করেন তাহলে আপনাদেরই সনাম হকে। এখন Physiologicallyই ওঁর পক্ষে অসম্ভব—to do anything correct and just, সভরা ওঁকে এখৰ অনুরোধ করার মানে হচেছ Assemblyর সময় নষ্ট করা। এখন তবু আমি বলতে চাই জন্যায় ত অনেক করেছেন, এবং তাড়াছড়া করে এই বিলটাও পাশ করতে যাচেছন, তাবফলে যে সমস্ত বড বড অন্যাঃ করেছেন তারই অন্তর্গত হয়ে এটাও থেকে যাবে। যুক্তি দেওয়া হয়েছে আগে কি করে হবে, হতে পারে না। জামি বলেছিলাম কেন হতে পারবে না? এই Assemblyর votingএব সঙ্গেই হতে পারতো। তথন আইন-সচিব বলেছিলেন তাহতে পারে না, কারণ Corporationএর আইন আলাদা কিন্তু যে machineryতে ওটা করছে সেইই এটাও করতে পারত। সেটাই expeditious move হত আর costও কম পড়ত। কিন্তু, সে পরামর্শ opposition থেকে দেওয়া হয়েছিল। Opposition থেকে পরামর্শ দিলে ওঁরা ত শোনেনই ন ৰরং আরো উত্তেজিত হয়ে ওঠেন, এবং বলেন ওরা আবাব পরামর্শ দিতে এসেছে। সতরাং পরামর্শ দেওয় নিরর্থক। কিন্তু এখানে তারা যে জন্যায়টা করছেন সেটা খুব বড় অন্যায়; যে কথা এই বিলের প্রথম আলোচনাং ৰলেছি—এই কলিকাতা কর্পোরেশনটা স্বৰ্গীয় সুরেক্র নাথ বন্দোপাধ্যায়ের একটা কীন্তি, কিন্তু উনি কীতিনাশ হয়ে (pointing to Hon'ble Dr. Roy) যে কীতি করে গেলেন, সুরেন্দ্র নাথের কর্পোরেশনের যা কিং অধিকার সব ছিঁড়ে ছুঁড়ে যতথানি নীচু তাকে করা যায় ততথানি নীচু করে, এর aspectটা এমন বদলালেন ৫ একে একটা Governmentএর Department পরিণত করে ছেড়েছেন। এবং adult franchise হার নির্বাচনের ব্যবস্থা না করে, ওঁপের নিযুক্ত কমিশনার যাঁকে সব কিছু power দিয়ে, নির্বাচিত প্রতিনিধিকে: ক্ষতা গীমাৰত্ব করেছেন, পাছে proper electorate হারা elected প্রতিনিধিগণ কর্পোরেশন দখল কোনে সৰ কিছ উল্টে দেয় সেই ভয়ে প্ৰগতিশীল সমাজবাদী, বিশেষ করে যার। নুতন সমাজ গঠন করবার উৎসাহ ४ আশা-আকাখা রাখে তাদের বেশী সংখ্যার আসার পথ বন্ধ করেছেন। এবং সেই জন্যই অনেক চেষ্টাতেং **अक्**ठा विषया किছ नए ठए **इटाइ**ना।

<sub>ে</sub> Matriculateএর ভারগার যদি literate করতেন তাহলেও democracyর দিকে কিছুটা এগিচ যাওৱা বেতো, কিছ তা ওঁরা করবেন না, কারণ জনগাধারণের উপর ওঁদের একটুও বিশাুন নাই। ভারণ ওঁদের বে জুর রয়েছে বে জ্বনগাধারণের যদি vote থাকে তাহলে জ্বনেকটা, ওঁদের আটকে রাথতে পারবে। কিছু শেষ পর্যান্ত ওঁরা জনগাধারণকে আটকাতে পারবেন।। King Canute বেষন সমুদ্রের চেউকে কেরাতে চেটা করে বার্থ হয়েছিলেন এঁদেরও সেই রকম বার্থ হতে হবে। আজ আমরা ওঁদের বিরুদ্ধে division call করে কিছু করতে পারছিনে বটে, কিছু যে চেউ আসছে সে চেউয়ে ওঁরা ভেসে যাবেন, ভূবে যাবেন, (The Hon'ble N. Dutt-Majumder: আপনাদেরও সজে সজে তুবতে হবে), এই বলে আদি শেষ করছি।

Dr. 8URE8H CHANDRA BANERJEE: মাননীয় স্পীকাব মহোদয়, ১৯২৩ পালে আইনের তলনাম এই বিলে voting franchise যে কিছুটা প্রসারিত হয়েছে, তাতে কোন সন্দেহ নেই। ১৯২৩ সালের আটানে ছিল যে consolidated rate বা tax বা license fee অৱত: ১২, দেওয়া চাই। তা না ছলে sum দিলেও ভোটের অধিকারী হওয়া যেতে পারবে। আর rent সম্বন্ধে বলা হচেছ আগে ২৫১ মাণিক ভাডা না দিলে হত না। এখন any rent দিলেই হতে পারে। কিছ এখন Matriculation Certificate वा technical diploma वारमत बाह्य, जाता voter इएए शात्रत। Franchise मध्याख बहे बाताहा যে ১৯২৩ সালের আইনের তুলনায় যে প্রগতিশীল তাতে কোন সন্দেহ নাই। কিন্তু তা সন্দেও আমাকে বলতে হবে যে ১৯২৩ সালের তুলনায় বর্জমান দুনিয়া যে পরিমাণ প্রগতির পথে এগিয়েছে তার তুলনায় এই পামান্য একট progress বা উনুতি, তা অতি নগণ্য। আমাদের মনে না রাখলে চন্বে না যে এই ২০ বংসরে দুনিয়ায় একটা আমূল পৰিবৰ্ত্তন ঘটেছে। এবং মধ্যে একটা বিশুযুদ্ধ হয়ে গেছে এবং সঙ্গে দনিয়াও গণতন্ত্ৰের पिटक ज्यानको अभित्य श्रीहा ज्यापान प्राप्त प्राप्त वासीन इत्याक अवः त्रहे वासीन जात्रज्वार्थ ज्यास्त्र adult franchise পেয়েছি। শূতবাং এখন এই পামান্য একট উন্ত voteএর অধিকারে আমরা সন্তই হতে পারি না এবং একথা আমরা বাব বলেছি যে কলিকাতা Corporationএ যে সমন্ত দনীতি আমরা দেখেছি, যে corruption দেখেছি, তাব মূলে রয়েছে এই সংকীর্ণ ভোটের অধিকার। যদি adult franchise থাকত. পেই ভিত্তিতে যদি Councillor নিৰ্বাচিত হত-তাদের সংখ্যা যদি খুব বেশী হত, তাহলে এই দুৰ্নীতি থাকত না। এসৰ কথা আমরা বারবাব বলেছি। এবং Investigation Commissionও একথা বলেছেন। কি করে কলিকাতা কর্পোরেশন থেকে, তার শাসনব্যবস্থা থেকে এই দুর্নীতি দূর করা যায়, শেই উদ্দেশ্যেই এই Investigation Commission গভৰ্নেশ্ট কৰ্ত্তক নিযক্ত হয়েছিল। এই Commission নানা দিক খেকে বিচার করে পূর্ণবয়ন্ধদের ভোটের অধিকার recommend কবেছেন। তাই কলিকাতা কর্পোরেশন কাউন্সিলর নির্বাচনে পূর্ণবয়স্কদের ভোটাধিকার কেন দেওয়া হবে না, তার কোন কারণ ধাকতে পারে না। শৃতরাং আমরা আগেই বলেছি এর Commissioner appoint করবার এবং অন্যান্য ব্যাপারে এই বিল অত্যন্ত reactionary এবং ইহা জনস্বার্থের সঙ্গে একটুও বাপ বায় না। বর্তমান যুগে যথন সমন্ত দুনিয়া democratic Societyর কথা বলছে, দনিয়া Socialismএর পথে চলেছে, তথন এই ধরণের একটা reactionary Bill আৰু ওঁরা যে pass করতে চলেছেন, এটা আমাদের পক্ষে, বাংলার পক্ষে এবং পরিঘদের পক্ষে অত্যন্ত লক্ষ্মার কারণ। এ সম্বন্ধে আমার আর বেশী কিছ বলবার নেই। বজুতা শেষ করার আগে শুধু বলব যে ডা: রায় এসব কথা ভালভাবেই জানেন যে এই বিল পাশ করে তিনি চিরদিনের জন্য অলেম দর্নামের ভাগী হতে চলেছেন। ভার কাছে আমাদের পক্ষে-বিরোধী দলের পক্ষ থেকে আমার একান্ত অনুরোধ যে দুর্নাম তিনি অর্ঞান করতে চলেছেন, তার খানিকটা অন্তত: প্রতিকার হবে যদি তিনি এই ধারার উপর আনিত চারু ভাণ্ডারি মহাশবের সংশোধনী পদ্ধাবটা অন্তত: গহণ করেন।

ব্দাবার আমি অনুরোধ জানাব তাঁরা যেন চারুবাবুর প্রস্তাব—পূর্ণবয়ন্তদের ভোটাধিকার—যাদেব বরুগ ২১ বংসরের কম নয়—তাদের ভোটের অধিকার ধাকবে—এটা যেন মেনে নেন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I am not surprised that a lot of discussion should take place on this amendment, and the basis of the arguments that were put forward has been that if you have accepted the principle of adult franchise for the Legislature why should you not do it for the Corporation? That is the first argument and the argument that

has been repeated several times by the speakers opposite that if you have accepted it so far as the Legislature is concerned why should you not accept it so far as the Corporation is concerned.

Sir, I have been of the view that the two are not on the same line, namely, the Legislature and the Corporation. In a Legislature members come here for the purpose of determining the policy and the execution is done by persons who enjoy the confidence of the House for the time being and the Legislature has all the time the inherent power to call off the Ministry if they find that the Ministry is not following the policy of the Legislature. In the case of the Corporation the most important point is that the policy and the execution depend upon the same body and therefore it is essential that those who have votes in the Corporation should have something to do so far as that institution is concerned—that by residing in any place or in any house within the Corporation for six months or by following some profession in the city for a certain period or if he is a Matriculate and so on and so forth. It is deliberately put there. It is not an omission in order that the Corporation voters will be those who will have some interest, however small it may be, in the proper management of the Corporation. So the very word Corporation indicates that it is a corporate body, namely, a body in which the people who send representatives and the representatives themselves are working together not merely for the purpose of laying down the policy but also for the purpose of executing it. That is the fundamental difference between one group and the other. My friend Sri Bimal Comar Ghose is not here. He seems to argue like a lawyer in a mofassil court that if you are taking the Commissioner from Bombay, why not take adult suffrage also from Bombay. This argument really does not affect the present position. The position is that we are going one step further than what it is today. And if the Legislature of the future wanted to change the electoral rolls or any provision relating thereto it would be very easy to do so.

Sir, my second point is that it is not the Government of today that has brought forward this Bill. If my friends have forgotten, let me remind them that they passed, this Legislature passed, the West Bengal Act XXVIII of 1950 in which the members of the Legislature had accepted the very same system which is laid down here. Section 55 is only a reproduction of section 6 of the Amending Act of 1950. Wisdom did not find a place in the minds of the Opposition because there was no opposition then. A new election is going to take place next year and it would be on the basis of the Act which was passed by this Legislature and which enjoins the very same method by which the election and the electoral rolls will be made and prepared. Therefore it is not this Government that has done it. This Government has made a proposal and the Bill was placed before the Select Committee which went through the provisions of the Bill and this is one of the cases in which the Select Committee took pains to go through every paragraph of this Bill. And they did not think it necessary to make any alteration in this particular section. Therefore it is not a question of one bad man here or a bad Minister there who are trying to put something in the Bill. It is the Assembly's own finding which is embodied in the Bill. Mr. Charu Bhandari has said, if you have adult franchise, probably all those men, who have no interest in the city and who have no stake in the city will not affect the assessors. Probably he has not read the Bill through: otherwise, he would have found that we have made provisions that assemment should not be in the hands of persons who are under the control of the Corporation, whatever the position of the Corporation would be. Therefore I feel that that argument that if you have adult suffrage you will remove some of the causes of corruption in the Corporation does not

hold water. I do say that this is merely a reproduction of what is there in actual existence in the Act today and therefore I oppose the amendment of Mr. Charu Chandra Bhandari.

The motion of Sj. Charu Chandra Bhandari that in clause 55, for subclause (1) the following be substitued, namely:—

"(1) Subject to the provisions of the Bengal (Aliens) Disqualification Act, 1918, every person of the age of 21 years or above, who owns, occupies or resides in any premises or exercises any profession, trade or calling within a constituency shall be qualified as an elector of that constituency if such person has ordinarily and actually resided in Calcutta during the greater part of the year last preceding in which the electoral roll is prepared or revised.",

was then put and a division taken with the following results:-

#### AYES-10.

Bandyopadhyaya, Sj. Pramatha Nath. Banerjee, Sj. Sibnath. Banerji, Dr. Suresh Chandra, Basu, Sj. Hemanta Kumar. Bhandari, Sj. Charu Chandra.

Chatterjee, Sj. Haripada. Choudhury, Sj. Annada Prosad. De, Sj. Kanal Lal. Ghose, Sj. Bimai Comar. Ghose, Dr. P. C.

#### NOE8-45.

Abduilah, Janab S. M.
Abdus Shokur, Janab,
Banerjee, Sushii Kumar,
Barman, The Hon'ble Syama Prasad.
Bhattacharyya, Sj. Shyamapada.
Chakravarty, Sj. Satish Chandra.
Chakravarty, Sj. Satish Chandra.
Chaudhuri, The Hon'ble Rai Harendra
Nath.
Das, Sj. Radha Nath.
Dolui, Sj. Harendra Nath.
Dolui, Sj. Harendra Nath.
Dutt-Mazumdar, The Hon'ble Niharendu.
Ganguli, Sj. Bepin Behari.
Golam Hamidur Rahaman, Janab.
Gomes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand.
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid.
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab.
Mahammad Kased Ali, Janab.
Mahanty, Sj. Charu Chandra.
Maiti, The Hon'ble Nikunja Behari.
Majhi, Sj. Nishapati.

Majumdar, The Hon'ble Bhupati.
Mai, 8j. Iswar Chandra.
Mailick, 8j. Ashutosh.
Mandal, 8j. Ashutosh.
Mandal, 8j. Krishna Prasad.
Mandal, 8j. Umesh Chandra.
Misra, 8j. Sowrindra Mohan.
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada.
Mudassir Hossain, Janab.
Murarka, 8j. Basantial.
Naskar, The Hon'ble Hem Chandra.
Panja, The Hon'ble Jadabendra Nath.
Platel, Mr. R. E.
Pramanik, 8j. Rajani Kanta,
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, 8j. Jajneawar.
Roy Singh Sarker, 8j. Satish Chandra.
Sen, The Hon'ble Prafulia Chandra.
Shamsul Huq, Janab.
Sinha, The Hon'ble Bimai Chandra.
Zaman, Janab A. M. A.

The Ayes being 10 and the Noes 45, the motion was lost.

The question that clause 55 do stand part of the Bill was then put and a division taken with the following result:—

#### AYE8-42.

Abduilah, Janab S. M.
Abdus Shokur, Janab.
Banerjee, Sj. Sushil Kumar.
Barman, The Hon'ble Syama Prasad.
Bhattaoharyya, Sj. Shyamapada.
Chaudhuri, The Hon'ble Rai Harendra
Nath.
Das, Sj. Radha Nath.
Dolul, Sj. Harendra Nath.
Dutt-Mazumdar, The Hon'ble Niharendu.

Golam Hamidur Rahaman, Janab. Gomes, Mr. D. Gupta, Sj. J. C. Haidar, Sj. Kuber Chand. Kazem Ali Mirza, Janab Shahibzada Kawan Jah Salyid. Khuda Bukhuh, Janab Md. Mahammad Kased Ali, Janab. Mahammad Sayeed Mia, Janab. Mahanty, Sj. Charu Chandra. Maiti, The Hon'ble Nikunja Behari, Majumdar, The Hon'ble Bhupati. Mai, 8j. Iswar Chandra. Mailiok, 8j. Ashutosh. Mandai, 8j. Krishna Prasad. Mandai, 8j. Krishna Prasad. Mandai, 8j. Umesh Chandra. Misra, 8j. Sowrindra Mohan. Mohammad Hossain, Dr. Mookerji, The Hon'ble Kalipada. Mudassir Hossain, Janab. Murarka, 8j. Basantiai. Naskar, The Hen'ble Hem Chandra.
Panja, The Hen'ble Jadabendra Nath.
Platel, Mr. R. E.
Pramanik, Sj. Rajani Kanta.
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, Sj. Jajneswar.
Roy Singh Sarker, Sj. Satish Chandra.
Sen, The Hon'ble Prafulia Chandra.
Shamsul Huq, Janab.
Sinha, The Hon'ble Bimal Chandra.
Zaman, Janab A. M. A.

## Noes-9.

Bandyopadhyaya, Sj. Pramatha Nath. Banerje, Sj. Sibnath. Banerji, Dr. Suresh Chandra. Basu, Sj. Hemanta Kumar. Bhandari, Sj. Charu Chandra. Chatterjee, 8j. Haripada. Choudhury, 8j. Annada Prosad. De, 8j. Kanal Lai. Ghose, 8j. Bimal Comar.

The Ayes being 42 and the Noes 9, the motion was carried.

## Clause 56.

**Dr. SURESH CHANDRA BANERJEE:** Sir, I beg to move that clause 56(1) be omitted.

Clause 56 (1) এ বলা হয়েছে বে, যার ভোটার হওয়ার যোগাতা আছে তাকে আবার ভোটার হওয়ার জন্য কর্ত্বপক্ষের নিকট দরখান্ত করতে হবে। অথচ কর্ত্বপক্ষ ভোটাবদের enlist করবার ব্যবহা করবেন না । বেমন পরিষদের নির্বাচনের সময় ব্যবহা করা হয়,—ভোটারদের বাড়ী গিয়ে গিয়ে তাদের enlist করা হয়, কিছ Corporationএর ব্যাপারে যারা ভোটার হতে চায় তাদেব দবধান্ত করতে হবে। ফলে হচেছ কি যে ধুব কম লোকই ভোটার হচেছ। তাই আমার কথা হচেছ, যাদের ভোটাব হওয়াব যোগাতা আছে, তাদের ভোটার করবার জন্য Corporationকেই পরিশুম করে তার ব্যবহা কবা উচিত, কিছ এবানে ব্যবহা করা হয়েছে তার উলটো। স্থতরাং আমি অনুবাধ করছি যে, আমার এই সংশোধনী প্রভাবটা Government মঞ্জর করন।

8j. HEMANTA KUMAR BASU: Dr. Suresh Chandra Banerji যে সংশোধনী পুন্তাৰ করেছেন তা আদি সমর্থন করছি। স্পীকার মহোদয়, আপনি বোধ হয় ভানেন যে, আমাদের দেশের লোক, তাদের অধিকার সম্বন্ধ এত সচেত্রন হয়নি যে তারা নিজেরা দরখান্ত করে ভোটার হবে। যে কোন Governmentই হোক, তাদের একটা প্রাথমিক কর্ত্তরা হচেছ যে, তাদের যে সমন্ত নাগরিক, তাদের civic, political right স্বন্ধে সচেত্রন ও সভাগ করা। সেদিক থেকে আমার মনে হয়, যেতাবে আগামী যে নির্বাচন হচেছ তাতে বেমন ভোটারদের বাড়ী বাড়ী গিয়ে তাদের ভোটার তালিকাভুক্ত করবার চেটা করা হচেছ, সেই রক্মভাবে এই Corporationএর ব্যাপারে করলেও ভাল হয়। এবারও Corporationএর নির্বাচন তালিকা গত বারের নির্বাচন তালিকার মত বাতিল করা হয়েছে এবং নুতন করে করবার চেটা হচেছ। সেজন্য আমার মনে হয় যে, Dr. Banerji যে সংশোধনী পুন্তাবটা এনেছেন, সেটা খুব সংগত। আমি আশা করি সরকার পক্ষ এটা গ্রহণ করবেন।

The motion of Dr. Suresh Chandra Banerji that clause 56(I) be omitted was then put and lost.

The question that clause 56 do stand part of the Bill was then put and agreed to.

## Clause 57.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that clause 57(2) be omitted.

I also beg to move that the proviso to clause 57(3) be omitted.

Clause 57(2)ৰ এই provisobia আৰাৰ আপন্তি, আনৱা চাই না যে, কোন company, body corporate or firm; ভাৱা এই ভোচাৰ অধিকাৰ পাৰ। আৰৱা এটা চাই না, আৰৱা চাই adult franchise. সেই জন্য এইটা আপন্তি করতে বাধ্য হচিছ়। এই provisobi আপন্তি করি এই জন্য যে, এক-জন লোক double ভোটের অধিকার পাচেছ়। যার বাড়ী, মর, সম্পন্তি আছে সে as a man ভোট দিতে পারবে, আৰ একবার representative of the company হয়ে ভোট দিতে পারবে। এই double ভোটের অধিকার সেওয়া হচেছ in this proviso. সেই জন্য আদি এই provisobi আপন্তি করছি।

The motion of Dr. Suresh Chandra Banerji that clause 57(2) be omitted was then put and lost.

The motion of Dr. Suresh Chandra Banerji that the proviso to clause 57(3) be omitted was then put and lost.

The question that clause 57 do stand part of the Bill was then put and agreed to.

## Clause 58.

The question that clause 58 do stand part of the Bill was then put and agreed to.

## Clause 59.

**Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 59(2), lines 1 and 2, for the words "State Government" the word "Corporation" be substituted.

পুধনে যা move করেছি তাতে বলা হয়েছে, যে, electoral rollএর যে rules করা হবে how the electoral rolls will be prepared তাতে আছে subject to the provision of this Act, the State Government shall make rules providing for the time at which the rolls shall be prepared, এখানে State Governmentএ যে কেন আনা হল এবং Corporationকে কেন আনা হ'ল না, এটা আমি মোটেই বুঝতে পারি না। আমরা আগেও বলেছি যে এই বিলের উদ্দেশ্য হচেছ যে Corporationকে কোন power না দেওয়া এবং Corporationকে Governmentএর দাস করে বাবছেন, সমন্ত কমতাই Government নিজের হাতে নিচেছন। সেই জন্য যে electoral rules করা হবে এর চেয়ে Corporationএর পক্ষে অপমানজনক আর কি হতে পারে ৷ এই সমন্ত electoral rollএর rules সম্বন্ধে সব কিছু ঠিক করে দেবেন Government, এর চেয়ে আর কি অপমান হতে পারে আমি তা কলপনা করতে পারি না। এই জন্য আমি State Governmentএর জারগায়, সংশোধনী শুন্তাবে বলেছি, Corporation কথাটা substitute করা হোক। অর্থাৎ electoral rollএর rule সম্পর্কে যা কিছু করার তার তা Corporationএর উপর দেওয়া হোক।

The motion of Dr. Suresh Chandra Banerji that in clause 59(2), lines 1 and 2, for the words "State Government" the word "Corporation" be substituted was then put and lost.

The question that clause 59 do stand part of the Bill was then put and agreed to.

## Clause 60.

The question that Clause 60 do stand part of the Bill was then put and agreed to.

## Clause 61.

The question that Clause 61 do stand part of the Bill was then put and agreed to.

## Clause 62.

**Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 62(1)(b), line 1, for the word "twenty-five" the word "twenty-one" be substitued.

এই claused বলা হয়েছে যে Councillor কিয়া Alderman হতে পেলে ভার বয়দ ২৫ বৎসরের চেয়ে যেল কম না হয়, অর্থাৎ একজনকৈ Councillor বা Alderman হতে হলে ভার বয়দ অন্তত: ২৫ বৎসর হওয়া চাই। আগের ১৯২৩ সালের আইনে ছিল ২১ বৎসর য়ার বয়দ হবে, সেই ভোটার হওয়ার অবিকার পাবে এবং এই ২১ বৎসর বয়য় লোকেরা এই সমন্ত পদের প্রাথীরূপে দাঁড়াতে পারতা। অবচ এবানে বলা হয়েছে ২১ বৎসর অত্যন্ত কম, তার জায়গায় ২৫ বৎসর হওয়া দরকার। কেন যে এই সমন্ত সায়ারণ পুচলিত প্রথার বিকলের এই ২৫ বৎসর করা হল তা আমি বুঝাতে পারি না। স্কুডরাং old Actএ যা ছিল দেইটাই আমার সংশোধনী প্রতাবে বলা হয়েছে। এটা অতি ন্যায়সক্রত প্রভাব এবং এটা গ্রহণ না করলে শুর জন্যায় হয়। এটা ভাশু পুগতিবিরোধীই নয় এটা নীতিবিরোধী বলে আমি মনে করি। সুতরাং আমি Governmentকে অনুরোধ করছি যে আমার এই অতি ন্যায়সক্রত প্রভাবট তাবা মঞ্জুর করে নেন।

- 8j. HEMANTA KUMAR BASU: माननीय म्लीकांत मरशान्य, जामि এই नः लाधनी शुखाव সৰদ্ধে কিছু বলতে চাই। আমাদের দেশে চাণকোৰ একটা শ্রোক আছে "প্রাপ্তেতু ষোড়শবর্ষে পুত্রে মিত্র-বদাচরেও"। অর্থাৎ পুত্রের ১৬ বৎসর বয়স হলে তাকে বন্ধুর মত বিবেচনা কববেন। কিন্তু এখন, আঞ্চকাল ষার ১৮ বংশর বয়স তাকে বন্ধর মত সব কাজেতে বিবেচনা করা যেতে পাবে। এখন ব্যাপার হচেছ, আমরা Electoral Rules এ দেখছি যার ২১ বংসর বয়স সে ভোটার হতে পারে। ভোটাবের দায়িত্ব কি কম, আপনার। মনে করেন ? এই যে একজনকে, তাদের প্রতিনিধি হিসাবে পাঠান হচেছ, তাদের প্রতিনিধিছ করবার অধিকার দেওয়া হচেছ যে, সে ভোর্চার হিসাবে লোক নির্বাচন করবে সেটা সোজা ব্যাপার নয়। স্মৃতরাং যে ভোটার, তার যদি অধিকার থাকে, কাকে নির্বাচন কববে বা না কববে ; তাহলে যে নিজেই কেন জনসাধারণের প্রতিনিধি হিসাবে election এ নির্বাচনের জন্য দাঁড়াতে পাববে না ? এব কোন মানে হয় না ৷ সেই জন্য স্থামি মনে করি আমাদের দেশের ২১ বৎসরের ছেলেদের এই অধিকার দেওয়া উচিত। আমি যথন কংগ্রেসে ছিলাম তথন আমি কংগ্রেসের জন্য struggle ক্রেছি, এবং দেখেছি ১৮ বংশর বয়সের ছেলে যারা, তাঁরা কংগ্রেসের মেম্বর হতে পারতেন, এবং সংগ্রামী কংগ্রেসের যার৷ মেম্বর ছিলেন, ডাদের বয়স বাড়িয়ে ২১ বৎসর कन्न। ध्याङ्गि । रगरे छना गर्व मिक विरविष्ठना करन प्राप्ति मरन करि, २५ वर्शन दशक ना**क्तिरक** यथन প্রতিনিধি নির্বাচন করবার ভার বা দায়িত্ব দেওয়া হয়েছে, তখন সে যাতে নিজেও প্রতিনিধিকপে দাঁড়াতে পারে তাৰ অধিকার থাকা উচিত। এই রকম একটা পার্থকা এখানে রাখা উচিত নয়। সেই জনা আমি ডা: স্কুরেশ **ठळ** नगनाब्रीत गः(गांथनी शुखांवर्টि गमर्थन कति।
- **8J. SUSHIL KUMAR BANERJEE:** I beg to move that in sub-clause 1(g) of clause 62, in line 2, after the words "as a trustee" the words "or an executor" be inserted.
- **8j. BIMAL COMAR CHOSE:** Sir, I beg to move that clause 62(2) be omitted.

Clause 62(2) reads as follows: "Any disqualification mentioned in clauses (h), (i), (j) and (k) of sub-section (I) may be removed by an order of the State Government in this behalf".

Now (h), (i), (j) and (k) provide for disqualification on the following grounds "if he has not paid any sum certified by the auditors to be due from him in a certificate which has not been set aside under this Act or, if such certificate has been modified, has not paid the sum shown to be due from him in the modified certificate" or "has been convicted by any court and sentenced to imrisonment or whipping for an offence involving moral turpitude and punishable with imprisonment for a period of not less than six months" or "has been convicted by any court of an offence under Chapter IXA, Indian Penal Code, punishable with imprisonment", etc. or

"being a candidate at an election as a Councillor under this Act or an election agent of such Councillor has failed to lodge any prescribed return of election expenses or has lodged a return which is found, either by the Chief Judge of the Small Cause Court, Calcutta, in the course of any proceedings under section 82 or by a Magistrate in a judicial proceeding, to be false in any material particular".

Now if a person is so disqualified how can you make a provision that the Government may by order remove such disqualification? I feel, Sir, that this power should not at all be given to the Government because the offences are quite serious and there is no reason why these disqualifications should be removed on any ground by anybody. That reason becomes reinforced when it is considered that there may be Governments, like that of ours, under which persons who are even guilty of offences involving moral turpitude may be allowed to go away scot-free. How can we then provide a loophole, here Sir, where the Government may come to the assistance of such persons and let them go scot-free by removing their disqualifications so that they can be elected as Councillors or Aldermen. I do not see therefore why the Government,-or the Select Committee, as the Chief Minister always says that the Select Committee had very seriously considered all the provisions,—have provided for retaining this provision. No quarter should be shown to such persons and therefore I urge that there should be no power given to any Government whether this—certainly not to this—or any other Government for removing such disqualifications.

The Hon'ble Dr. BIDHAN CHANDRA ROY: With regard to the question of age I may refer my friend Dr. Banerji to the fact that under the old Constitution Act, that is to say the 1935 Act which was after the 1923 Corporation Act, the age for the members of the Legislative Assembly was fixed at 25 and the age for the Council of State was fixed at 30. The present Constitution also lays down that the minimum age of the members of the Assembly is 25 and of the Council of State is 30. That is the reason why we changed it from 21 to 25.

The amendment of Dr. Suresh Chandra Banerji that in clause 62(1)(b), line 1, for the word "twenty-five" the word "Twenty-one" be substituted was then put and lost.

The amendment of Sj. Sushil Kumar Banerjee that in sub-clause (1)(g) of clause 62, in line 2, after the words "as a trustee" the words "or an executor" be inserted was then put and agreed to.

The motion of Sj. Bimal Comar Ghose that clause 62(2) be omitted, was then put and a Division taken with the following result:—

#### AYE8-7.

Bandyopadhyaya, Sj. Pramatha Nath. Banerji, Dr. Sureah Chandra. Basu, Sj. Hemanta Kumar. Bhandari, Sj. Charu Chandra. Chatterjee, Sj. Haripada. De, Sj. Kanai Lai. Ghose, Sj. Bimai Comar.

#### Noes-41.

Abdullah, Janab S. M.
Abdus Shokur, Janab.
Banerjee, Sj. Sushii Kumar.
Barman, The Hon'ble Syama Prasad.
Bhattaoharyya, Sj. Shyamapada.
Chaudhuri, The Hon'ble Rai Harendra
Nath.
Doks, Sj. Radha Nath.
Doks, Sj. Harendra Nath.

Dutti-Mazumdar, The Hon'ble Niharendu.
Ganguli, 3j. Bepin Behari.
Golam Hamidur Rahaman, Janab.
Gomes, Mr. D.
Gupta, 8j. J. C.
Haldar, 8j. Kuber Chand.
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid.
Khuda Bukhsh, Janab Md.

Mahammad Kased Ali, Janab, Mahammad Sayeed Mia, Janab, Mahanty, Sl. Charu Chandra.
Maiti, The Hon'ble Nikunja Beharl.
Majumdar, The Hon'ble Bhupati.
Mal, Sl. iswar Chandra.
Malliok, Sl. Ashutosh.
Mandal, Sl. Krishna Prasad.
Mandal, Sl. Umesh Chandra.
Misra, Sl. Sowrindra Mohan.
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada.
Mudasir Hossain, Janab.

Murarka, Sj. Basantial.
Naskar, The Hon'ble Hem Chandra.
Panja, The Hon'ble Jadabendra Nath.
Pramanik, Sj. Rajani Kanta.
Rafiuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, Sj. Jajneswar.
Roy Singh Sarkar, Sj. Satish Chandra.
Sen, The Hon'ble Prafulla Chandra.
Shamsul Hud, Janab.
Sinha, The Hon'ble Bimal Chandra.
Zaman, Janab A. M. A.

The Ayes being 7 and the Noes 41, the motion was lost.

The question that clause 62, as amended, do stand part of the Bill was then put and agreed to.

## Clause 63.

The question that clause 63 do stand part of the Bill was then put and agreed to.

#### Clause 64.

The question that clause 64 do stand part of the Bill was then put and agreed to.

## Clause 65.

The question that clause 65 do stand part of the Bill was then put and agreed to.

## Clause 66.

**Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 66(4), lines 2 to 4, for the words beginning with "returning officer" and ending with "counting" the words "presiding officer at each polling station on the expiry of the time and immediately following the polling and any candidate or in the absence of the candidate a representative duly authorised by him in writing shall have a right to be present at the time of the counting. The presiding officer shall immediately upon the completion of the counting send the result thereof along with all papers, ballot boxes, etc., under sealed covers to the returning officer" be substituted.

Sir, I beg further to move that in clause 66(5), lines 1 and 2, for the words beginning with "When the counting" and ending with "returning officer" the words "The returning officer shall add up the results of the counting as sent by the respective presiding officers in the presence of the candidates or their representatives, one for each candidate, and" be substituted.

Sir, আবার এই সংশোধনী পুরাব অবনাই আবাদের পক্ষে লক্ষ্পার বিষয়। তবে এটা অতি সত্য বে ballot box নিয়ে অনেক গোলবাল হয়—বিশেষত: municipal electionৰ, এই জন্য এইটে হওয়া উচিত বে বৰ্বই polling হয়ে বাবে তবনই vote count করতে হবে। এবং count হবে in the presence of the candidate or his representative; Sealed boxৰ central officed Presiding Officerবর কাছে পাঠাতে হবে। এবং পয়ের দিন আবার in the presence of representative of the candidate result বোষণা কয়বেন, অবনাই এটা হওয়া possible এবং বেখানে municipality বা Corporationবর বাগার সেবানে এই বরবের ভোট গ্রণনা হওয়ার কোন আপত্তি বাকতে গাঁবে না। এ পদ্ধতির পুয়োগ District Board Electionৰ না হতে পারে, কিছ municipal electionৰ বিশেষতঃ কলকাতা কর্পোরেশনের electionৰ বেখানে এক একটা wards

ৰাত্ৰ ২১০ জন Councillors elected হবেন দেখানে ১২টা বা ১টা বাত্ৰি পৰ্যন্ত কাজ করে এক একজন Election Officer এটা করতে পারেন। এবং এইজপ হলে ballot box নিরে জার কোন গোল হবে না জার কারে। মনে কোন গলেহও থাকতে পারবে না। এবং Bengal Municipal Actus এটা শেওবা জাতে। এটা হ'লে সহজেই কাজ হতে পারবে এবং সেই দিনই result announce হতে পারবে।

8]. HEMANTA KUMAR BASU: আমি ডা: হ্রেশ বানার্কীর পুতারটা সর্বর্থন করছি। ভোটারশের ভোটগুলি সব ballot boxএ গিরে পড়ে, এবং যারা voter ডারা result জানবার জন্য ধুব উদপুশীব হরে উঠে হুডরাং যদি গঙ্গে সকেই result জানানো যায় তাহলে ধুব ভাল হয়। এই জন্য আমি এই পুতারটা সর্বর্ধন করছি। বড় বড় constituencyর পক্ষে এটা হুবিবাজনক না হতে পারে, কিছু কলকাডাকে বে রক্ষ ছোট ছোট constituencyতে বিভক্ত করা হয়েছে তাতে এইভাবে ভোট গণপায়, আমার বোধ হয়, কোন অস্থাবিধা হবে না।

Janab Md. KHUDA BUKHSH: Sir, I am afraid, I must oppose the amendments suggested by Dr. Banerji. If you bear me for a moment, I shall adduce my reasons therefor.

Sir, however desirable it may be for the candidate or his agent or the returning officer that the results should be published speedily, it is not possible because of the fact that it is the Returning Officer who is statutorily responsible for all the processes of returning a candidate and he cannot under the law just send or distribute or make over his responsibility to others.

There is another reason. A candidate cannot be present at the time of the counting of votes. My friends opposite have come to this legislature through this process and they ought to know that this responsibility which is statutorily the Returning Officer's cannot be distributed to the Presiding Officers of the different polling stations and then, Sir, the insinuation has been made by the other side that there are lot of malpractices done with the ballot boxes, etc. Sir, the same arguments apply to the poor candidate's polling agents. The polling agents may be bought over and it is to the candidate's own interest that he should be present at the time of counting. Therefore, Sir, the arguments that have been adduced by the gentlemen opposite do not hold any water and I would suggest that the provision that is here should be retained and it should be mandatorily and statutorily the responsibility of the Returning Officers to supervise all the processes that are necessary for returning a candidate either to the Corporation or to the Legislature, wherever the Returning Officer choose to do so.

The motion of Dr. Suresh Chandra Banerji that in clause 66(4), lines 2 to 4, for the words beginning with "Returning Officer" and ending with "counting" the words "Presiding Officer at each polling station on the expiry of the time and immediately following the polling and any candidate or in the absence of the candidate a representative duly authorised by him in writing shall have a right to be present at the time of the counting. The Presiding Officer shall immediately upon the completion of the counting send the result thereof along with all papers, ballot boxes, etc., under sealed covers to the returning officer." be substituted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 66(5), lines 1 and 2, for the words beginning with "when the counting" and ending with "Returning Officer" the words "The Returning Officer shall add up the results of the counting as sent by the respective Presiding Officers in the presence of the candidates or their representatatives, one for each candidate, and" be substituted, was then put and lost.

The question that clause 66 do stand part of the Bill was then put and agreed to.

#### Clause 67.

**Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 67(1), lines 1 and 2, for the words "State Government" the word "Corporation" be substituted.

Dr. SURESH CHANDRA BANERJI: এই clauseটা হচেছ্ State Government to make rules regarding the conduct of elections. Election বিভাবে পরিচালিত হবে শে সম্বন্ধে নিয়ম করে দেবে State Government এই কথাই এই claused বলা হরেছে। আমি বলছি বে, State Government নয়, এই নিয়ম করবে Corporation, কারণ আমরা Corporationএর আধীনতা চাই। এখানেই হচেছ্ Governmentএর সক্ষে আমাদের আকাশ-পাতাল পার্ধক্য। Government স্ব ক্ষমতা চান, কিন্তু আমরা স্ব ক্ষমতা Corporationকে দিতে চাই। আমি বলতে চাই election বিভাবে পরিচালিত হবে এই নিয়ম Corporation করে দেবে এবং এই বাপারে Governmentএর কোন রক্ষ হস্তক্ষেপ করা উচিত নয়। এই হচেছ্ আমার সংশোধনী প্রস্তাব; এটা Government মঞ্জর ক্রেবেন লা আদি, কিন্তু বেনে নেওয়া উচিত।

The motion of Dr. Suresh Chandra Banerji that in clause 67(1), lines 1 and 2, for the words "State Government" the word "Corporation" be substituted, was then put and lost.

The question that clause 67 do stand part of the Bill was then put agreed to.

#### Clause 69.

The question that clause 69 do stand part of the Bill was then put and agreed to.

#### Clause 70.

The question that clause 70 do stand part of the Bill was then put and agreed to.

## Clause 71.

The question that clause 71 do stand part of the Bill was then put and agreed to.

## Clause 72.

The question that clause 72 do stand part of the Bill was then put and agreed to.

## Clause 73.

The question that clause 73 do stand part of the Bill was then put and agreed to.

## Clause 74.

The question that clause 74 do stand part of the Bill was then put and agreed to.

#### Clause 75.

- The question that clause 75 do stand part of the Bill was then put and agreed to.

#### Clause 76.

**8]. BIMAL COMAR CHOSE:** Sir, I beg to move that clause 76(c) be omitted.

I also beg to move that proviso (ii) to clause 76 be omitted.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 76, lines 19 and 20, for the words beginning with "State Government" and ending with "Gazette" the words "Corporation shall" be substituted.

I also beg to move that in clause 76, proviso (i), line 8, for the words "State Government" the word "Corporation" be substituted.

I also beg to move that in clause 76, proviso (ii), line 3, for the words "State Government" the word "Corporation" be substituted.

- sj. BIMAL COMAR CHOSE: Sir, section 76(c) states that "If a person having been elected as a Councillor or Alderman violates the oath of allegiance, such person shall cease to be a Councillor or Alderman.....", etc. Now, Sir, I have nothing to quarrel with that provision as such, but what I do not understand is this, why should there be any necessity of this provision at all. There is in clause 74 the oath of allegiance. If there is any violation of the Oath of Allegiance, then I believe, Sir, that has to be proved and one should automatically be disqualified. For example, we have also the oath of allegiance for the Assembly members but our Constitution—I do not know, I say subject to correction—probably does not provide for this thing that a person should become disqualified if he violates the oath of allegiance. It is expected that a member elected will not violate the oath of allegiance that he gives and therefore I do not see why there should be any necessity for incorporation of this item in this clause, and that is why, Sir, I have moved an amendment for its deletion.
- Dr. SURESH CHANDRA BANERJI: মাননীয় শ্লীকার, স্যার, কথা হচেছ যদি কোন কারণবর্গত: কোন Alderman disqualified বা disabled হন বা তিনি থাকতে না পারেন তরে তিনি যে disabled হয়েছেন এবং তার seat যে vacant হয়েছে এটা declare করবে কে ? এই claused বলা হয়েছে State Government declare the vacancy. আর আমি বলছি Corporation shall declare in the Municipal Gazette the seat to be vacant আর্থাৎ একই নীতি; আমরা চাচিছ Corporationকে power দিতে এবং বর্তমান Government চাচেছন Governmentকে power দিতে। সেই জন্মই আমি Governmentএর জায়গায় Corporation substitute করার জন্য অনুবারৰ করছি।

The motion of Sj. Bimal Comar Ghose that clause 76(c) be omitted was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 76, lines 19 and 20, for the words beginning with "State Government" and ending with "Gazette" the words "Corporation shall" be substituted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 76, proviso (i), line 8, for the words "State Government" the word "Corporation" be substituted, was then put and lost.

The motion of Sj. Bimal Comar Ghose that proviso (ii) to clause 76 be omitted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 76, proviso (ii) line 3, for the words "State Government" the word "Corporation" be substituted, was then put and lost.

The question that clause 76 do stand part of the Bill, was then put and agreed to.

Clause 78.

**3J. BIMAL COMAR CHOSE:** Sir, I beg to move that clause 78(2) be omitted.

8j. HEMANTA KUMAR BASU: বাননীর শীকার, কার, দেখছি বে এ বাস আগে বিদি থকবেলতা হয় তাহ'লে fill up করা হবে না, Government আমার বেলার বর্ধাৎ আমি পদত্যাগ করার ১ বংসর ১ ৷৷০ বংসর পরে electionএর হুকুর দিলেন যধন নাকি General Electionএর মাত্রে এ মাস বাকী। মাত্রে এ মাস বাকাতে vacancy declare করলেন। তাহলেও এটা একদিক বেকে ভালই হয়েছে, কারণ, এই sessionএ বেসব গুরুহপূর্ণ বিল এসেছে সেগুলি সহছে কলিকাতার নাগরিকবৃশ তাদের প্রতিনিধি মারকৎ তাদের মতামত প্রকাশ করতে পেরেছেশ্ব স্থতরাং আমি বেটা বলছিলার সেটা হচেছ বিমল বাবু মে সংশোধনী প্রত্তাব এনেছেন তা গ্রহণ করা উচিত। বাত্তবিক, এ মাসের জন্য হলেও নাগরিকদের আর্থের দিকে দৃষ্টিরেবে নুতন করে নির্বাচন করা উচিত এবং এই জন্যই আবার বলছি বিমল বাবুর সংশোধনী প্রতাব পাস হওরা উচিত।

The motion of Sj. Bimal Comar Ghose that clause 78(2) be omitted, was then put and lost.

The question that clause 78 do stand part of the Bill, was then put and agreed to.

## Clause 79.

The question that clause 79 do stand part of the Bill, was then put and agreed to.

#### Clause 80.

- 8]. BIMAL COMAR CHOSE: Sir, it is already 7 o'clock. Let us adjourn now.
- Mr. SPEAKER: No, we have to go on. We have already come to an arrangement.
  - 81. BIMAL COMAR CHOSE: How long shall we sit?
  - Mr. SPEAKER: Up to 7-30 p.m.
- **Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 80(2), lines 2 to 4, for the words "State Government", wherever they occur, the word "Corporation" be substituted.

I further beg to move that in clause 80(3), lines 1 and 2, for the words beginning with "State Government" and ending with "published" the words "Corporation shall fix such date or dates by notification" be substituted.

The motions were then put and lost.

The question that clause 80 do stand part of the Bill, was then put and agreed to.

#### Clause 81.

The question that clause 81 do stand part of the Bill, was then put and agreed to.

## Clause 82.

The question that clause 82 do stand part of the Bill was then put and agreed to.

## Clause 83.

The question that clause 83 do stand part of the Bill was then put and agreed to.

## Clause 84.

The question that clause 84 do stand part of the Bill was then put and agreed to.

- SI. BIMAL COMAR CHOSE: Sir, it is better that we stop here.
- Mr. SPEAKER: No. We have got to proceed up to 7-30 p.m.
- sj. BIMAL COMAR CHOSE: Sir, both you and the Government are trying to expedite the business by minimising the time of the Assembly as much as possible. We think it will be much better if we stop here today at the end of this Chapter, because we are taking a new matter about the Public Service Commission—appointments and all that. That is a subject on which, Sir, we have a lot of things to say. If we wanted to delay the proceedings of the House, we could have done that, we could have called divisions, but, Sir, we are trying to expedite the matter as much as possible. Therefore, we submit to you that it will be much better if we take up the next chapter tomorrow.
- Mr. SPEAKER: Mr. Ghose, it has been arranged that we should go on till 7-30.
- Dr. SURESH CHANDRA BANERJI: স্পীকার মহোদয, আজকে এই chapter পর্যান্ত থাক, আমরা কালকে আবার বলব! আমাদের বিশাস করুন আমরা বাবে বাবে division call করব না।
- Mr. SPEAKER: That is quite true, but it has been arranged and it has been agreed that we should sit up to 7-30.
- $\mbox{ Dr. 8URE8H CHANDRA BANERJI: } \mbox{ You should also co-operate with us. }$
- The Hon'ble Dr. BIDHAN CHANDRA ROY: You agreed to sit up to  $\approx 30$
- Mr. SPEAKER: It has been agreed, I understand, by your Whip that we should go up to 7-30 p.m.
- Dr. SURESH CHANDRA BANERJI: তবন আমরা অন্যরক্ষ তেবেছিলাম। আমরা তেবেছিলাম বে clause 84 পর্য্যন্ত হয়ে শেষ হয়ে যাবে। আমাদের অনুরোধ না রাধনে ধুব অস্থবিধা হবে। স্থাতবাং আমি মাননীয় মন্ত্রীমহাশয়কে অনুবোধ করছি যে আম্ব এই অবধি ধাক।
- The Hon'ble Dr. BIDHAN CHANDRA ROY: No, Sir. We shall go on till 7-30. That has been arranged before.
- Dr. SURESH CHANDRA BANERJI: আবাৰ আমি মাননীয় মন্ত্ৰীমহাণ্যকে অনুরোধ কবছি যে আজে এই পর্যন্ত থাক।
- Mr. SPEAKER: After having agreed to sit up to 7-30 you cannot say that now. You have to abide by it.
- Dr. SURESH CHANDRA BANERJI: আমাদের যদি কোন অনুরোধ না রাখেন, তা'হলে কাজে অস্থবিধা হবে।
  - Mr. SPEAKER: Clause 85.

Clause 85.

8j. BIMAL COMAR CHOSE: Sir, I beg to move that clause 85(4) be omitted.

Sir, clause 85 deals with the appointment of persons such as Chief Engineer, Finance Officer, Chief Accountant, Health Officer and Secretary and may be one or more Deputy Commissioners. Now, Sir, as you know 36

the appointment of Commissioner has to be made by the Government. We argued for a considerable length of time over that matter as we felt that the appointment of the Commissioner should not be made by the Government but should vest in the Corporation and, speaking for myself, I had agreed that it may be with the approval of the Government. The Government said that the appointment of the Commissioner should be in the hands of or should be under the control of the Government as they felt that that would improve the administration of the Corporation, as the Commissioner will not then be under the control or influence of the Councillors. Sir, even if that is admitted, then we do not see any reason why these officers like the Chief Engineer, the Finance Officer, the Chief Accountant, the Health Officer, the Secretary and one or more Deputy Commissioners should also be appointed by the Government. Sir, we have argued here, as it appears from the Bill that it is the intention of the Government to divest the Corporation of all its powers. That is patent not only in the appointment of the Commissioner, not only in many of the clauses that we have passed, but also in this clause where there is no reason as to why these officers also should be appointed subject to the approval of the State Government, which amounts to appointment by the Government. Because even though the Corporation may suggest certain names they might be turned down by the State Government and the Corporation will be placed or may be placed in a position in which they will have to accept such directions as may be given to it by the State Government. If the Government really mean to convince this House that they do not want to usurp all powers, that they do not want to convert the Corporation merely into a department of Government, if they really mean that, then I do not see why these appointments should also be subject to the approval of the State Government. The point at issue is this: here is going to be elected a Corporation, a Corporation which must be given certain powers, a Corporation which must be trusted with certain things. If you feel or if your premise or assumption is that the Corporation will consist of persons who cannot be trusted, who have no sense of responsibility, then do not set up a Corporation at all, then do not do anything to have a Corporation but go on administering it by one of your officers as it is being done at present. But if you do have a Corporation, then it stands to reason that they must be vested with certain responsibilities, they must be given certain powers. But it appears that the Government cannot trust the Corporation with the appointment of even certain officers such as the Chief Engineer, the Finance Officer, the Chief Accountant, the Health Officer, the Secretary and certain Deputy Commissioners. There does not seem to be any reason as to why the Corporation cannot be trusted with these appointments. If the Corporation is going to exercise any power then there must be some amount of control over its officers and control means that it must be enabled to appoint such officers in its own discretion and must not be subject to the approval of certain other authority. If you take clause by clause of this Bill, you will find in every clause that there is an effort, an attempt on the part of Government to whittle down the power of the Corporation, to make it a sort of a department of Government and not give it any powers. Then, Sir, the question naturally arises as to why the Government do not want to administer it by themselves as they are doing it today. Probably the reason is that having taken up the administration of the Corporation as they have done it now, they find that they are not being able to administer it properly, people are not satisfied, people know that the administration is virtually what it used to be previously under the regime of the old Councillors. So what they want to do is to have it run by the Corporation, to divest so far as the public is concerned of the Government's responsibility by showing that they are not running it, but at the same time to retain the whiphand in everything. Here they will say

we have got the Corporation, it is an elected body, it is running itself and therefore if any blame is to be attached for anything done, for maladministration or such other things, then Government cannot directly be blamed but it will be the Corporation which will be blamed though it has no authority, all the authority being taken away by the Government. Sir, that is a very clever device of controlling a body and shirking all responsibilities of its administration. But that is not an honest device. Therefore there are two alternatives before the Government. One is that if you want to have a Corporation then you must give it certain responsibilities. If you do not want that, take up the whole control yourself and do not have any Corporation at all. There should not be any shilly shallying on that matter. So let us know what the Government really intend to do-as to whether they want to give any responsibilities to this elected body—a body which would be elected by the franchise which we have passed, which has been liberalised to a certain extent on the existing system. If any powers are to be given, then I suggest that these appointments should be made by the Corporation itself and not be made subject to the approval of the Government, because by doing that they are showing that they do not want to give any power to the Corporation. Therefore I commend my motion to the acceptance of the House.

- Sj. HEMANTA KUMAR BASU: जामता त्य कथा विक्रक शक्क (धरक शूर्व वरलिছ त्य এই ক্ষমতালোভী সরকার কর্পোবেশনকে তাদেব একটা বিভাগে পরিণত করতে চান এবং সেই জন্য গত কয়েক বংগর যাবং Corporationকে supersedo কবে নিজের একজন লোককে সেখানে বসিয়ে যে স্থাবিধা ও মঞ্জা ভোগ করছেন শেইটা চিরস্থায়ী কববার জন্য যত রক্ষে সম্ভব চেটা কবছেন। কলকাতাবাসীদের বর্ত্তমান স্বকাবের উপর বিশাস নাই, সেই জন্য এখান থেকে তাঁদেব সমর্থক কোন পতিনিধি না পেয়ে মফ:ছল থেকে পতিনিধি याँता এই Assemblyতে আগবেন, তাঁদের নিমে এবা will be in power. এবং যত সৰ Leftist of Calcuttacৰ কি করে দাবিয়ে রাধতে পাববেন সেইদিকে লক্ষ্য রেখেই এ বিলটা রচনা করেছেন। Commissioner যে নিয়োগ হবে, সে নিয়োগ করবেন গভর্গমেণ্ট তারপর আর যেসব বড বড officer তাদের नित्यांश इत्व शर्ज्वत्यत्न्हेत approval नित्य । अवात्रा न्नाष्ट्रेर भुमानिक इत्क्ह Calcutta Corporation क्या rate-payersদের উপর গভর্ণমেণ্টের কোন বিশাস নাই, এবং সেই জন্যই জন্সাধারণ যেসৰ পাতিনিধি পাঠাবেন, তাঁদের এঁরা কোন powerই দিচেছন না। কারণ তাঁরা জানেন যে কলকাতার উপর বিরোধী দলেরই প্রভাব বেশী। এই জন্মই কলকাতাবাসীদের দাবিয়ে রাখার জন্য কর্পোরেশনের যত সব বড় বা ছোট কর্মচারী সব কিছুর নিয়োগই নিজেদেব হাতে রাথছেন। ভাল মন্দ যা কিছু নিজেরাই করবেন এবং ৰুলকাতার মতন বিরাট শহরের শিক্ষিত নাগরিকবৃন্দ যেসব প্রতিনিধি নির্বাচন করে কর্পোরেশনে পাঠাবেন তাদের হাতে কোন ক্ষমতাই রাধবেন না। এই কথা ক'টি বলে আমি শ্রীযুক্ত বিমল ঘোদ মহাশমরে প্রস্তাবটা সমর্থন করছি।
- ষ্ঠা, KANAI LAL DE: আমি সংশোধনী পুস্তাকী সম্বন্ধ কমেকটি কথা বলতে চাই এই পুস্তাকটা খুব সক্ষত। আমাদের সরকার ক্রমণ: এত ক্ষমতালোভী হয়ে উঠেছেল যে যতই ক্ষমতা নিচেছন ততই ক্ষমতার লোভ আর সামলাতে পারছেল না। ক্রমণ: এদের লোভ বেছে চলেছে। আজ তিন বছর যাবৎ সমস্ত ক্ষমতা তারা হরণ করে কলকাতা কর্পোরেশনকে নিজেদের কুক্ষিণত করে রেখেছেন কিন্তু নিজেদের নিযক্ত administratorএর হাতে রেখেও কলকাতা সহরের কিছু মাত্র উনুতি করতে পারেন নাই। এখন আবার ক্ষমণার নিযুক্ত করবার ক্ষমতা এবং বড় বড় অফিসার নিরোগের ক্ষমতা নিজেদের হাতে রেখেছেন তারপর নীচের যেকৰ পদ তাতেও লোক নিয়োগের ক্ষমতাটাও হাতে রাখতে চান।

কিন্ত তিন বৎসর যাবৎ যে কর্পোরেশনটাকে নিজের লোকের ছারা চালালেন, এতে যদি কলকাতার কোন উনুতি হত, কাম্ব যদি তাল হত তাহলে কলকাতাবাদীরা ওদের কথায় বিশাস করত। কিন্তু সে মুযোগ তাদের তাঁরা দেন নাই। তাঁদের নিযুক্ত কর্মচারীয়া যে পারিছ-জ্ঞানের পরিচয় দিরেছে তাতে জনসাধারণ তাঁদের উপর বিশাস হারিবছে।

কলকাতার দুরবন্ধাটা বে কি তা বোধ হর মন্ত্রীরা স্টারে চলেন (A VOIOS: স্টরে নর এরোপুনে) স্থতরাং তারা হরত দেবেন না। কিন্তু রাজাযাট যে রক্ষ আবর্জনার পূর্ণ থাকে, এবং তা থেকে যেরক্ষ দুর্গন্ধ বেরোম তাতে এটাকে আর সভ্য মানবের বাসের যোগ্য বলা চলে না। রাজাঘাট সব ভাঙ্গাটোরা, যেথানে সেখানে আবর্জনা এখারা বোঝা যায় তাঁরা কেবল কতকগুলি অযোগ্য লোককেই নিয়োগ করেন, এসব তারই পুমাণ, এ অবস্থায় বে আবার কর্মচারী নিয়োগের সব ক্ষমতা নিজেদের হাতে রাখতে চাচেছ্ন এতে আমি বলব কতকগুলি কুপোখ্য আণ্রিতদের পালন করার জন্যই তাঁরা এটা করছেন। স্মৃতরাং তাঁদের এই অন্যায় লোভের বিশেষ প্রতিবাদ হওয়া উচিত।

পূর্বে কর্পোরেশন নেতাজী স্থভাদ চন্দ্র বস্তুর মতন লোককে Chief Executive Officer নিযুক্ত করেছিল এবং গভর্ণমেণ্টের কাছ থেকে মঞুরী নিয়ে তাঁকে রাখা হয়েছিল কিন্তু এখন কলিকাতার কোন উনুতিকারী লোকে এই postএ নিয়োগ করেন এবং যদি সরকারের রাজনীতির সঙ্গে তাঁর রাজনীতি এক না হয় তাহকে সরকার এখন তাঁর নিয়োগ বন্ধ রাখতে পারবেন; সেই জন্য সরকারের হাতে এই ক্ষমতা দেওয়া উচিত নয় । জামি বলে রাখছি এই সরকার যেন মনে না করেন যে তারাই এই ক্ষমতা অধিকার করে থাকবেন এবং বাংলার এইরূপ দুর্ভাগাই কেবল হতে পারে। কিন্তু তাঁদের মনে রাখা উচিত যে বিপুর্বপধীরাও ক্ষমতা অধিকার করতে পারে।

Mr. SPEAKER: Mr. De, please speak on the point.

8j, KANAI LAL DE: আমি ত point এর উপরই বলছি আমি এই কথা বলেছি---

Mr. SPEAKER: There may be other Governments as well. This Government will not be perpetually in office.

8j. KANAI LAL DE: সভাপাল মহালম, আপনি একজন বিশেষজ্ঞ, আইনজ্ঞ, আপনি আইনের দিক দিয়া বিচার করে দেখনেন এই বিলাটা কেমন হচেছ এবং আমি ঠিক বলেছি কিনা। যাক আমি এই সরকারকে সভর্ক করে দিচিছ্ এই যে double-edged machineটাৰ আমদানি করছেন এতে মনে করবেন না যে থালি এক দিকেই কাটবে, অন্য দিকেও কাটতে পাবে। আজ যে দিকে সান দিচেছন, তার উলটো দিকেও কাটতে পারে। তথন হায়, হায়, করতে হবে। কাজেই আমি বলছি এতটা কমভালোলুপ হবেন না। পূক্তপক্ষে কলকাতাব নাগবিকগণ যারা ট্যাক্স দিবে, টাকা দিবে তারা হবে এর সুব্যবস্থার যালিক, গভর্ণমেণ্ট নয়।

পত্র্ণমেন্ট বাংলাদেশের রাজনৈতিক ক্ষমতা অধিকার করার দক্ষণ-পশ্চিম বাংলাব সাধাবণ যেসব ব্যবহা সেইটাই মাত্র করবেন। বাংলার অধিবাসীদের দেয় রাজস্ব ছাড়াও কলিকাতার নাগবিকগণের একটা বিশেষ ট্যাক্স দিতে হচেছ, স্বতরাং তাদের সে বিষয়ে একটা স্বায়ন্তশাসন পাওয়া দরকাব। এ জিনিষটা Common jurisprudonceএর দিক থেকেও হওয়া উচিত। কিন্তু গতর্ণমেণ্টের নিজ শাসিত বিভাগগুলিতে কিহেচছ—শিক্ষামন্ত্রী শিক্ষাব কোন ধার ধাবেন না, বিচার বিভাগীয় মন্ত্রী বিচাবেব কোন ধার ধাবেন না, স্বায়ন্তশাসন মন্ত্রী কিভাবে স্বায়ন্তশাসন চালাতে হয় তাব চিন্তাও কবেন না। ক্ষমতা মদে মন্ত্র থাবা তাদেব করবার ফুবস্থত কোধায় ? পুতোকেরই যাড়েই ক্ষমতাব ভূত চেপেছে, এবং সেই জন্য সর্বপুকারে, অন্যায় হোক, মুক্তি-বিরোধী হোক ক্ষমতা লাতেই বাত্ত হয়ে পড়ছেন। এই বলে আমি সর্বান্তঃকরণে এই প্রস্তাব সম্বর্ধন করছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir. I need only point out in one sentence that this is not a new provision. Before the Bampanthis took charge of the Calcutta Corporation in 1924 the same provision existed although at that time the term Bampanthis was not known. The thing is already there and we have only continued it. Sir, I oppose the amendment.

The motion of Sj. Bimal Comar Ghose that clause 85(4) be omitted was then put and a division taken with the following result:—

#### AYE8-7.

Bandyopadhyaya, Sj. Pramatha Nath. Banerji, Dr. Suresh Chandra.
Basu, Sj. Hemanta Kumar.
Bhandari, Sj. Charu Chandra.

Chatterjee, Sj. Haripada. De, Sj. Kanai Lal. Ghose, Sj. Bimal Comar.

#### NOE8-40.

Abdusich, Janab S. M.
Abdus Shokur, Janab.
Banerjee, SJ. Sushil Kumar.
Barman, The Hon'ble Syama Prasad.
Bhattacharyya, Sj. Shyamapada.
Chaudhuri, The Hon'ble Rai Harendra Nath.
Das, SJ. Radha Nath.
Dolul, SJ. Harendra Nath.
Dutt-Mazumdar, The Hon'ble Niharendu.
Ganguli, SJ. Bepin Behari.
Golam Hamidur Rahaman, Janab.
Gupta, Sj. J. C.
Haldar, SJ. Kuber Chand.
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid.
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab.
Mahammad Sayeed Mia, Janab.
Mahammad Sayeed Mia, Janab.
Mahamty, SJ. Charu Chandra.
Malti, The Hon'ble Nikun'a Behari.

Majumdar, The Hen'ble Bhupati.
Mai, Sj. Iswar Chandra.
Mailiok, Sj. Ashutosh.
Mandai, Sj. Krishna Prasad.
Mandai, Sj. Umesh Chandra.
Misra, Sj. Sowrindra Mohan.
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada.
Mudassir Hossain, Janab.
Murarka, Sj. Basantial.
Naskar, The Hon'ble Hem Chandra.
Panja, The Hon'ble Jadabendra Nath.
Pramanik, Sj. Rajani Kanta.
Rafuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, Sj. Jajneswar.
Roy Singh Sarker, Sj. Satish Chandra.
Sen, The Hon'ble Prafulla Chandra.
Shamsul Huq, Janab.
Sinha, The Hon'ble Bimai Chandra
Zaman, Janab A. M. A.

The Ayes being 7 and the Noes 40, the motion was lost.

The question that clause 85 do stand part of the Bill was then put and agreed to.

Mr. SPEAKER: The House will sit tomorrow from 2 and arrangement has been made for the convenience of the members.

Dr. SURESH CHANDRA BANERJI: Without consulting us at all you change the time? We were not consulted.

Mr. SPEAKER: What do you propose?

Dr. SURESH CHANDRA BANERJI: We propose 3 o'clock.

Mr. SPEAKER: From 3 up to what hours?

The Hon'ble Dr. BIDHAN CHANDRA ROY: If you begin at 3 it means you work up to 8-30.

Dr. SURESH CHANDRA BANERJI: You have not consulted us.

Mr. SPEAKER: I thought you have agreed. You will have to sit for five hours with a recess of half an hour.

Dr. SURESH CHANDRA BANERJI: The point is this. We are also as anxious as the Government to finish the Bill quickly but you must allow

The Hon'ble Dr. BIDHAN CHANDRA ROY: If you sit at 3 will you go up to 8 or 8-30?

Mr. SPEAKER: All right, we sit tomorrow at 3.

The House stands adjourned till 3 p.m. tomorrow. I also announce that there will be a non-official day on the 2nd November, 1951, and tomorrow this Bill will be taken up. Because the agenda has not been circulated, therefore I announce it.

## Adjournment.

The House was then adjourned at 7-32 p.m. till 3 p.m. on Friday, the 26th October, 1951, at the Assembly House, Calcutta.

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# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 26th October, 1951, at 3 p.m.

## Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 12 Hon'ble Ministers and 60 members.

## STARRED QUESTIONS

(to which oral answers were given)

## Health centres opened in the State

- \*44. \$j. DEBENDRA NATH SEN: Will the Hon'ble Minister in charge of the Public Health Department be pleased to state—
  - (a) number of health units started up till now;
  - (b) the name and location of each one of them;
  - (c) the number of staff with designation in each unit;
  - (d) the total amount spent per year for each unit as a recurring grant;
  - (e) the total amount spent for year for each unit for medicine and diet?
- MINISTER in charge of the PUBLIC HEALTH DEPARTMENT (The Hon'ble Dr. Bidhan Chandra Roy): (a) Eighty-nine. It is really 95. Six more have been added.
  - (b) and (c) Two statements (A and B) are laid on the Library Table.

		Rs.
(d) For each 50-bedded centre	•••	 55,648
For each 20-bedded centre	•••	 28,082
For each 10-bedded centre		 18,277
For each 4-bedded centre		 13,284
		Rs.
(e) For each 50-bedded centre		 24,182
For each 20-bedded centre	•••	 10,038
For each 10-bedded centre		 5,475
For each 4-bedded centre	•••	 2,282

(When answers (b) and (c) were read.)

Mr. SPEAKER: You need not read the figures. They may be taken as read.

8j. BIMAL COMAR CHOSE: Sir, you may allow it. That is a different thing, but the usual procedure is that it should be read.

- Mr. SPEAKER: Please put your supplementaries. I think we need not take the time of the House by reading the figures when they are already printed and circulated.
- 8j. BIMAL COMAR CHOSE: But members should know what the answers are and they should get some time to understand that question. Your ruling for the moment is that it should not be read. If it is your ruling that all the statements need not be read, then we could understand that.
  - Mr. SPEAKER: The statements are not read.
  - Si. BIMAL COMAR CHOSE: But (d) and (e) are part of the answer.
- Mr. SPEAKER: To me it appears that it is a very minor matter. Here is a long list of so many bedded centres and figures, and it is more convenient for members to read them than to hear them from the Minister. I do not find any harm in allowing the Minister not to read the figures which are already in circulation and in cold print. If any honourable member wants to put any supplementary question, he can do that, but there is no substantial harm to allow the Minister not to read those figures. For the time being that is what I feel about it. If I feel otherwise later on, I shall do not needful. For the time being you please put your supplementary questions, if any.
- Sj. BIMAL COMAR CHOSE: With due deference to your ruling, Sir, I submit that—you of course have your own opinion—members send in questions, because they think that the questions are important, and the reason why starred questions are sent in is that they are supposed to be more important and members get some time when the Minister reads the question to appreciate the answer for putting supplementary questions. If, Sir, there are tables which are not read and you ask the members to ask supplementaries, it becomes difficult for them to put supplementary questions unless they are read, and therefore, the usual practice has been that they should be read. I have said, Sir, that I do not object to your ruling in this particular case, but I submit that as a usual practice and procedure this table should be read which is part of the reply to starred question No. 44.
- Mr. SPEAKER: The procedure in the House of Commons is that it is not circulated at all and, therefore, the Minister has to read it for the convenience of the members. Here we give them the facility of having the printed answers, and so there is no substantial ground for insisting upon those figures being read in the House.
- Sj. BIMAL COMAR CHOSE: Sir, nothing is quoted from the House of Commons which gives us facilities, but whatever goes against us that is quoted unfortunately. If you feel that the rules allowing the privileges which the members are enjoying in this House are not quite satisfactory, the rules may be changed. The rule says that the answers to starred questions should be read, and the answers to starred questions are being read in this House. That is what we have seen for so many years.
- Mr. SPEAKER: I should add nothing to whatever I have already spoken. Will you please put your supplementary questions?
- 8j. ANNADA PROSAD CHOUDHURY: Supplementary question, Sir, মাননীর মন্ত্রীবহাণর বলবেন কি, এই যে ৮৯টা Health Centre খোলা হরেছে তা কি ভিনু ভিনু সব জেলার বব্যে খোলা হরেছে, না করেকটা জেলার বব্যেই এটা সীবাৰছ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I have not got all the lists here, but they are Malda, Darjeeling, Jalpaiguri, Howrah, Burdwan, Midnapore, etc.

8j. ANNADA PROSAD CHOUDHURY: ১৯৪৮ সালে ঠিক হয়েছিল যে প্রত্যেক জেলার এক একটা থানার সবগুলি ইউনিয়নেই Health Centre বোলা হবে, সেই নীডিই কি এবন কার্য্যে পরিণত করা হচেছ না তাকে পরিবর্তন করে অন্য নীতিতে কাল করবার চেটা হচেছ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: No alteration.

8j. ANNADA PROSAD CHOUDHURY: আদি আদি যে মেদিনীপুর জেলা ম্যালেরিয়াপ্রস্তু, বিশেষ করে চক্রকোণা থানার নিকটবর্তী স্থানে কয়েকটা Health Centre ধোলবার কথা ছিল, তার
কতদর কি হল ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

8J. ANNADA PROSAD CHOUDHURY: মাননীয় মন্ত্ৰীমহাৰয় যদি অনুসন্ধান করে দেখেন যে তার সব আয়গায়, সবগুলি ইউনিয়নে করা হয়নি তহলে বাকীগুলিতে Health Centre তাড়াতাড়ি শ্বাপন করবার ব্যবস্থা অবলয়ন করবেন কিনা ।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Yes.

8J. HEMANTA KUMAR BASU: মাসনীয় মন্ত্রীমহাশয় বলবেন কি যে বাংলা দেশে কতগুলি ইউনিয়ন আছে যেখানে Health Centre শ্বাপন করতে হবে এবং তা করতে কত সময় লাগবে ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I want notice.

## Compulsory linking of ration cards with ration shops

- •45. SJ. PRAMATHA NATH BANDYOPADHYAY: Will the Hon'ble Minister in charge of the Food Department be pleased to state—
  - (a) the reason for linking ration cards of a particular area to a particular ration shop in the extended area of Hooghly-Chinsurah;
     and
  - (b) whether Government consider the desirability of revising their orders for compulsory linking of ration cards to a particular shop?

## MINISTER in charge of the FOOD DEPARTMENT (The Hon'ble Prafulla Chandra Sen): (a) The reasons are as follows:—

- (i) To afford residents of a locality to get their rations from the nearest or most conveniently situated shop.
- (ii) To eliminate spurious ration cards which the system of registration of any number of cards of any family in any shop had given a scope to. Zonal linking to a particular shop is also a very effective measure against future attempt to procure rations on spurious cards.
- (iii) To regulate the business turn-over of shops as far as practicable consistently with capital, godown space and the capacity of management of a shop.
- (b) No, as the system has yielded very good results, especially in eliminating over 12,000 spurious ration cards. The above system has been introduced in consultation with the local Food Advisory Committee.

(After starred question 45 was called.)

Bj. KANAI LAL DE: অতিরিক পুশু, সাার।

- Mr. SPEAKER: I have closed it. I have called the next question No. 45.
  - 8]. SIBNATH BANERJEE: On a point of privilege, Sir.
- (At this stage the Hon'ble Prafulla Chandra Sen was reading answer to Starred Question No. 45.)
- Mr. SPEAKER: Let him finish the answer. I shall hear your point afterwards.
  - SJ. BIMAL COMAR CHOSE: On a point of order, Sir.
- (The Hon'ble Minister went on reading the answer. There was uproar and table thumping.)
  - Mr. SPEAKER: (Hammering the table) Order, order.
- 8]. HARIPADA CHATTERJEE: Sir, there is a point of order and the Hon'ble Minister is reading—
- 8j. KANAI LAL DE: আমাব বিনীত অনুরোধ আমাদের এই কথাটা রাখুন। এতে মাত্র দুমিনিট সময় লাগবে।
- Dr. SURESH CHANDRA BANERJI: Sir, even you are not listening to the point of order, and we are being forced to withdraw from the House.
- Mr. SPEAKER: I wish to hear the point of order after the Hon'ble Minister has finished his reading of the answer.
- Dr. SURESH CHANDRA BANERJI: If the Speaker does not listen to our point of order, then we will be under the painful necessity of withdrawing from the House.
- Mr. SPEAKER: I have heard these threats very often in this House. (Uproar.) Order please.

(Several members rose simultaneously and again there was an uproar.)

- Mr. SPEAKER: Order, please. Please do not lose your temper.
- SJ. SIBNATH BANERJI: When a man rises on a point of order you won't listen?
  - Mr. SPEAKER: I am prepared to listen.
- Sj. SIBNATH BANERJI: But a point of order was raised and you did not listen. That was highly irregular.
- Mr. SPEAKER: I told you that I would listen to your point of order after he finishes the reading of the answer.
- a member rose to put supplementary questions on a question and you did not allow him because you had already called the next question. But to-day when one member rose up and said "supplementary question, Sir" then also you said "no more". And then when another member rose on a point of order you did not listen to that either. You may rule out the point of order after hearing it, you have every right to do that, but you cannot say, Sir, with all due reverence to you, that "I won't listen to it". If you listened to it and ruled it out of order then we would have nothing to say. Similarly, in the matter of putting supplementary questions when a member stands up to put a supplementary question you must hear him. Of course you may say that it is not a question at all, and you may rule it out but you will please hear a member if he rises up and says, "

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- did Sri Kanai Lal De. (The Hon'ble Dr. BIDHAN CHANDRA Roy: Dr. Ghosh is not correct.) Let me finish first and then you may have your say whether I am correct or incorrect. Sq I say, Sir, when a member stands up it is his right to stand up and say "supplementary question". You may say that it is no question. The Minister may not even answer the question but the member should be allowed to ask the question he wants to. And then when a point of order is raised whether it is a point of order or not it is your prerogative and right that the question should be listened to and therefore I do feel, Sir, and the members this side feel that even the Speaker does not listen to these things. This is my humble submission to you that when a supplementary question is asked it may please be heard and when there is a point of order you should kindly listen to it and after hearing them you may do whatever you like.
- The Hon'ble Dr. BIDHAN CHANDRA ROY: The first point Dr. Ghosh has raised is not correct. That gentleman wanting to put the supplementary question got up after the next question had been called. ("No" "No" from the Opposition Benches.) You may contradict it but the fact is otherwise and I must say that Dr. Ghosh is entirely wrong on that point.
- Dr. P. C. GHOSH: To you it is otherwise; to me it is a fact and that fact is what I stated.
- 8]. SIBNATH BANERJEE: I want to make my submission. Yesterday I wanted to raise this point but being the first day of the meeting after the Pujahs I did not want to say anything which might be considered acrimonious. The position is that in this House as it is constituted now you may not accept it and somebody may say that it is not correct. In this very House when it consisted of some 250 members I have seen that many times not less than 100 times—may be even 200 times—the then Speaker even after he had called the next question had allowed supplementary questions to be put on the last question if there were still many members anxious to put supplementary questions on an important question. After all one hour is set apart for this purpose. Yesterday for the first time we saw that because the Speaker had called the next question he did not allow further supplementaries on the last question. This is a sort of House which I have not seen for the last 14 years. In the old House the Speaker said "Next" many times—not less than 100 times—still the Speaker allowed any member who wanted to put a question on the last question to put the question. Since yesterday we find a new House although the new House that is yet to come has not yet come. The new procedure may start when the new House comes into being but for the present let us follow what we have been following for the last 14 years.
- 8]. HEMANTA KUMAR BASU: বডই দুংবের বিষয়, একটা বিশেষ প্রয়োজনীয় পুশু সম্বন্ধে উত্তর শেষ হতে না হতেই আর একটা পুশোর উত্তর দিতে উঠুলেন আমাদের নাননীয় খাদ্যমন্ত্রী মহালয়। মতরাং উক্ত আবলাক পুশু সম্বন্ধে আর কোন সদস্য দে বিষয়ে আর কোন Supplementary পুশু করার সমর ও ম্বোগ পেলেন না। Point of order ডুলে প্রতিবাদ করলেন শ্রীযুক্ত বিষল ঘোষ নহালয়। তারপর আরও ২।০ জন সদস্য দাঁড়িয়ে আপনার দৃষ্টি আকর্ষণ করতে নাগলেন, এই রক্তর ডাবে Houseএ যখন একটা disorder ভাব বিদ্যমান, তখন সেটার দিকে লক্ষ্য না করে—Houseএর কাজ হতে দেওয়া আপনার উচিত নয়, এটা বুব দুংধের বিষয়।
- 8j. BIMAL COMAR CHOSE: Sir, my submission is that with regard to the putting of this supplementary question the member rose up and you called "next", as far as I saw from my seat, at the same time. (The Hon'ble Dr. Bidhan Chandra Roy: No.) I cannot disbelieve my own eyes. Now, Sir, you must give some time after the Minister finishes

answering one supplementary and at least half a minute should be given after the Minister sits down to see whether a member is rising to put another supplementary. You cannot say "next" as soon as the Minister replies. I would suggest that if you want to enforce this, then half a minute should be allowed after the Minister finishes his reply and that will be helpful. If you do not allow any time then 10 members would rise at a time to put supplementaries. Therefore, Sir, I also think that the House has really changed. The privileges that we members were enjoying are no longer there and even the way in which the proceedings are being conducted has changed. There is a feeling—I am very sorry to say and I would not like to say this—as if the Opposition members are not wanted—as if they are not wanted to say anything because Government has brought in a Bill and therefore everything should be stopped, and time should be curtailed in every way so that this Bill may be passed soon. If there was such a hurry for the Bill, Government ought to have brought it earlier and not curtail our privileges and rights in this way. Sir, you are more the custodian of the rights of the minorities than of the Government. Government are taking all the time of the House and we have very little time devoted to our Bills and resolutions. Therefore, Sir, you should support us more than the Government. The position is that there is a feeling among Opposition members that they are not being fairly treated. I am very sorry to say that that is not a very healthy position. So I would beseech you to see to it that the Opposition members get a square deal in the House.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, may I point out that all the speeches made on this point of order deserve to be eliminated from the proceedings of the House. If you refer to rule 14 of our Rules of Procedure, you will find sub-section (1) says "The Speaker shall decide all points of order which may arise and his decision shall be final" and sub-section (2) "Any member may at any time submit a point of order for the decision of the Speaker, but in doing so shall confine himself to stating the point". Therefore there is no scope for speeches and the speeches so far delivered on this point of order should be eliminated from the record. The statement on point of order should be succinct and to the point but these speeches on the point of order have been irregular and deserve to be expunged from the record.

Mr. SPEAKER: At the very outset I must say that I am not prepared to expunge anything from the record. With regard to the supplementaries, I have been also in this House for the last 14 years and I have seen that when a certain number of questions were asked by way of supplementaries, the Speaker always called the "next" and then the next question was called and members were not generally allowed to put supplementaries except where the Speaker allowed it. When I said "next", Sj. Kanai Lal De stood up and wanted to put a supplementary. On this question at least I can say that there were sufficient number of supplementaries. As a matter of fact I have seen in Ceylon that not more than 3 supplementaries are allowed.

And if you see the rules you will find that supplementaries must arise out of the answer given. I have allowed supplementaries which ought not to have been allowed, strictly speaking, simply to accommodate the Opposition and have gone out of my way to do everything that is necessary in order to have a full and complete expression of the points of view of the different sections of the House. But that does not mean that so long as a member in the House is prepared to put supplementaries the Speaker is bound to allow the supplementaries to go on. If that rule be followed, then even one hour may be devoted to supplementaries to one question. But that is not a happy position. I have been a member of this House for

a long time and there are many other numbers like me. If Mr. Banerjee can quote from his own experience I can also quote from my own experience that supplementaries were not allowed in many cases and that when the Speaker passed on to the next question supplementaries were not allowed. That is the reason why before I declare "next", I always wait for some time in order to ascertain if members have any more supplementaries to put. So members desiring to put supplementaries should be more alert and rise in time before I declare "next". If they are not and then when I call on to the next they want to put supplementaries, then the business of the House will not be carried on with that speedy expedition with which it should be carried on. Therefore the position which I wish to clear up for the information of the members is that so far as supplementaries are concerned it is for the Speaker to decide to what extent supplementaries are to be allowed.

The next question is the point of order. Now I asked the Minister to rise after a number of supplementary questions had been put and the Minister had started answering the question. To my mind there cannot be a point of order at that stage. But I did not refuse to consider the point of order and I simply stated, let the Minister complete the answer and then I shall give him an opportunity to place his point of order. There was nothing wrong in that.

The third point that I want to point out is that rule 32 specifically states that questions shall be put and answers shall be given in such manner as the Speaker may determine. With regard to supplementaries, rule 34 clearly states that any member may put a supplementary question for the purpose of elucidating any matter of fact regarding which an answer has been given. If you see rule 27, you will find that questions are put in this House which cannot be allowed on a strict interpretation of the rules, but I have allowed them in order to give a fuller opportunity to the members to say what they have got to say. If in spite of that they have a grievance I regret very much but I feel that I have to observe the rules and regulations framed by the House itself.

The fourth point that I wish to mention in all humility to the honourable members of the House is that whenever a thing goes against a particular point of view it is not advisable to issue a threat of getting out of the House. That is, of course, not a desirable practice to follow. I have got on my left persons who have got much wider experience but I must state that the issue of such threats in the House is not desirable because it puts persons who have to conduct the proceedings of the House in difficulty. If at any particular moment they think it necessary to get out of the House they have got to take it as an action of their own and not as a threat. That is a point which I wish the members of the opposition to seriously think about, whenever they think that they want to get out.

Now, points of order may be raised in a very succinct way but once the decision is given to it except by the leave of the Speaker that point of order cannot further he discussed. As a matter of convenience and as a matter which requires a considerable amount of thought I have allowed such a matter to be discussed so that members may feel that not only justice has been done but that they may be convinced that justice has been really done. If in spite of that I have not been able to convince my honourable friends it is indeed my misfortune which is very regrettable, but I have got to go on with the business of the House. I have always been prepared to listen to whatever points they have raised and I have given them the greatest amount of indulgence that is possible.

With these words I will be close down this incident and proceed with the business of the House.

- SI. SIBNATH BANERJEE: Sir, all the trouble was regarding putting supplementary questions and I want to know whether we are to be allowed to put supplementaries.
- Mr. SPEAKER: You can put supplementaries to question No. 45 which is now before the House.
- 8j. 8iBNATH BANERJEE: That we know, Sir, after the Minister had started reading out the reply. But what about our putting supplementaries to question No. 44?

The Hon'ble Dr. BIDHAN CHANDRA ROY: He has finished his answer to question No. 45 which is now before the House.

- Sj. SIBNATH BANERJEE: But, Mr. Speaker, Sir, what about our request that as there has been special circumstances supplementaries may be allowed as has been done on many occasions even after the Speaker has declared "next".
  - Mr. SPEAKER: After what I have stated I cannot allow all this.
  - 8j. BIMAL COMAR CHOSE: Let question No. 45 be read out again.
- Mr. SPEAKER: I am now in the midst of question No. 45 which has already been read out but you are discussing question No. 44.
- Sj. SIBNATH BANERJEE: I have appealed to you to allow us to put a few more supplementaries to question No. 44.
- Mr. SPEAKER: I regret, Mr. Banerjee, I cannot allow any more supplementaries to question No. 44 at this stage.
- Sj. HARIPADA CHATTERJEE: আপনি allow কবনেন না, স্যার। কর্ত্তার ইচছাই কর্মা। যদি allow না কবেন তবে আব কি হবে। সত্যি allow কবনেন না?

#### Mr. SPEAKER: ना।

## Committee to investigate into the difference between the procurement and selling prices of rice in this State

- \*46. Sj. DEBENDRA NATH SEN: (a) Will the Hon'ble Minister in charge of the Food Department be pleased to state whether the India Government have appointed any Committee to investigate into the difference between the procurement and selling prices of rice in West Bengal?
- (b) If the answer to (a) be in the affirmative, will the Hor'ble Minister be pleased to state—
  - (i) the names of the members of the Committee;
  - (ii) whether that Committee have submitted any report; and
  - (iii) the recommendations of that Committee.

## The Hon'ble PRAFULLA CHANDRA SEN: (a) and (b) (ii) Yes.

- (b) (i) Sri Khagendra Nath Das Gupta, M.L.A., and Sri S. K. Sen, Deputy Secretary to the Government of India, Ministry of Food and Agriculture, Food Division.
- (iii) The Committee was appointed by the Government of India and the report was duly submitted to that Government, whose decision in the matter is awaited.

## UNSTARRED QUESTIONS

## (answers to which were laid on the table)

## Dey's Medical Stores, Galcutta

- 9. SJ. ANNADA PROSAD CHOUDHURY: (a) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state—
  - (i) if it is a fact that Messrs. Dey's Medical Stores, Calcutta, are the sole agents in West Bengal for certain controlled medicines;
  - (ii) if so, the principal items of controlled medicines for which the firm is the sole agents;
  - (iii) whether there has been any charge of blackmarketing against the firm;
  - (iv) whether an order was served for search of the shop of the firm and it was subsequently withdrawn;
  - (v) if so, the name of the authority at whose instance the search order was dropped, and why; and
  - (vi) whether the Special Officer of the Enforcement Branch has his own batch of infomers apart from those of Police Department and, if sc, whether it is a fact that there have been criminal cases pending against some of his informers?
- (b) If the answer to (a)(vi) is in the affirmative, will the Hon'ble Minister be pleased to state what are the charges against them?

MINISTER in charge of the HOME (POLICE) DEPARTMENT (the Hon'ble Dr. Bidhan Chandra Roy); (a) (i) Yes, sole agents appointed by the manufacturers.

- (ii) (1) Streptomycin, (2) Penicillin, (3) Terramycin, and (4) Vitamin B12.
- (iii) There was a charge of profiteering which on inquiry was found to be erroneous.
  - (iv) Yes, there was an order for search. It was not withdrawn.
  - (v) Does not arise.
- (vi) The Special Officer has no separate batch of informers. The question of criminal cases against some of them does not, therefore, arise.
  - (b) Does not arise.

## Affairs of Midnapore Collegiate School

- 10. 8j. KANAI LAL DE: Will the Hon'ble Minister in charge of the Education Department be pleased to state—
  - (a) whether the Midnapore Collegiate School was recently visited by one of the Hon'ble Ministers;
  - (b) whether the Head Master of the said school has resigned due to any incident connected with the visit of the Hon'ble Minister;
  - (c) if so, the reasons, if any, of his resignation;
  - (d) whether the students of the said school have gone on strike and made demonstrations before the bungalow of the District Magistrate, Midnapore;

- (e) if so, the reasons thereof;
- (f) whether there has been any enquiry into the matter; and
- (g) if so, the result thereof?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Rai Harendra Nath Chaudhuri): (a) Yes. By the Hon'ble Minister (Supplies).

- (b) The Head Master resigned some days after the visit.
- (c) The Head Master resigned for reasons not known to Government.
- (d) The resignation of the Head Master was followed by a strike and demonstration by the students on the streets.
- (e) Government are not aware of the reasons why the students went on strike.
- (f) and (g) There was an enquiry. It was reported that the fact that the Head Master had sent in his resignation was seized upon by anti-tiovernment parties and disruptive elements in the town for staging a strike of students.

## **COVERNMENT BILL:**

## The Calcutta Municipal Bill, 1951,

Clause 85A.

- Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in the proviso to clause 85A, line 3, for the word "Commissioner" the word "Mayor" be substituted.
- I further beg to move that in the proviso to clause 85A, line 4, for the word "Commissioner" the word "Mayor" be substituted.
- 8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in the proviso to clause 85A, in lines 3 and 4, for the words "the decision of the Commissioner shall be final" the words "the decision of the Commissioner, as approved, or as modified or as altered by the Corporation shall be final" be substituted.
- Dr. SURESH CHANDRA BANERJI: মাননীয় স্পীকার, স্যার, আমার সংশোধনী প্রস্তাবের সাবমর্ম হচেছ এই যে, এই নৃতন আইন চালু হবার আগে Corporationএ যেসব লোক কাল করতেন নৃতন আইন চালু হবার পর সেইসব লোকদের যে কোধার কি স্থান হবে সে সম্বন্ধ যদি কোন বিরোধ উপস্থিত হয় সে বিরোধের মীমাংসা করবেন কমিশনার। আর আমার সংশোধনী পুস্তাবের উদ্দেশ্য হচেছ এই যে, এই বিরোধের মীমাংসার ভার কমিশনার কে না দিয়ে Mayorcক দেওরা হোক। আমার এই সংশোধনী পুস্তাবের উদ্দেশ্য অতি সপষ্ট। কমিশনার প্রথমতঃ সরকার কর্ত্তক নিযুক্ত হবেন, স্নতরাং আমরা বাঁরা গণতত্ত্বের পক্ষপাতী এবং Corporationকে যতথানি সম্ভব ক্ষমতা দিতে চাই তাঁরা এই Government নিযুক্ত কমিশনারকে বেশী ক্ষমতা দিতে কিছুতেই রালী হতে পারিনা। এই ব্যাপারে বিশেষ করে যখন Mayor Corporationএর সর্বোচ্চ পদে অধিষ্ঠিত তথন এই বরণের কোন বিরোধ যদি উপস্থিত হয় সেই বিরোধের বীমাংসার ভার কমিশনারকে না দিয়ে Mayorcক দেওরাই শোতন ও সন্ধত এবং সেইজন্যই আমি সংশোধনী পুস্তান করেছি বে, যেখানে বেখানে কমিশনার শক্ষাট্ট আছে সেখানে স্বাধানে কমিশনারের পরিবর্ধে Mayor ক্ষেটা ব্যবহার কয়া হোক।

8j. HEMANTA KUMAR BASU: বাননীয় শীকার মহোদর, বেভাবে এই আইনটা বিধিবছ কবা হচেছ,; Corporation এর সমস্ত কর্মচারীদের মাহিনা পুভৃতি ব্যবস্থা করবার ক্ষমতার ব্যাপারে তাতে কর্মচারীরা সাধারনত: মনে করবেন যে, সরকারকে যদি সন্তই করতে পারা যায় তাহতেই তাদের কাম্প উদ্ধার হবে। এবং আরপ্ত মনে করবেন যে, Corporationএর কোন বিষয়ে কর্তম নাই। যদি এই ব্যাপারটার ভার Mayor বিনি Councillorদের নিবে াচিত পুৃতিনিধি হবেন তাঁর উপর দেওয়া হয় তাহেলে কর্মচারীরা সরকারের মুবের দিকে না তাকিয়ে থেকে Corporationদিকে তাকাবে। স্থতারং Dr. Banerjee যে সংশোধনী পুস্তার উপন্থিত করেছেন এটা যদি গৃহীত হয় তাহলে Corporationএর কন্তম কিছুটা স্বীকার করা হবে। তাই আমি মনে করি যে Corporationএর সর্বেচ্চ পদে অধিটিত Mayorকে এই ক্ষমতা অর্পাপ করনে তাল হয়।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, the only point that 1 want to mention is that what Dr. Banerji had desired, viz., that the Commissioner's word should not be final, has been provided for by the amendment of Mr. Sushil Kumar Banerjee, viz., the decision of the Commissioner as approved, or as modified or as altered by the Corporation shall be final, so that we are giving the power ultimately to the Corporation to decide. This is much better than depending only on the Mayor.

The motion of Dr. Suresh Chandra Banerji that in the proviso to clause 85A, line 3, for the word "Commissioner" the word "Mayor" be substituted was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in the proviso to clause 85A, line 4, for the word "Commissioner" the word "Mayor" be substituted was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in the proviso to clause 85A, in lines 3 and 4, for the words "the decision of the Commissioner shall be final" the words "the decision of the Commissioner as approved, or as modified or as altered by the Corporation shall be final" be substituted was then put and agreed to.

The question that clause 85A, as amended, do stand part of the Bill was then put and agreed to.

## Clause 86.

- Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 86(3), in line 2, after the words "amend it" the words "at its own initiative or" be inserted.
- 8]. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 86(3), in line 2, after the words "amend it" the words "either of its own motion after ascertaining the opinion of the Commissioner and the Standing Finance Committee or" be inserted.
- Dr. SURESH CHANDRA BANERJI: নাননীয় স্পীকার মহোদয়, আমার amendment এর উদ্দেশ্য অতি স্পাষ্ট এবং আমার মনে হয় Government তা অনেকথানি বুরতে পেরেছেন, কথা হচেছ Schedule of posts যদি amendment করার শুয়োজন হয় original যে clause আছে তাতে Corporation নিজে ইচছা করে amendment করতে পারবেন এমন কোন ক্ষমতা ছিল না। তাতে ছিল এই যে, they can amend it at the instance of the Commissioner and the Standing Finance Committee. ক্ষিশনার অনুরোধ করবেন Standing Finance Committeeকে। কিছু আমার কথা ছিল the Corporation at its own initiative or at the instance of the Commissioner and the Standing Finance Committee may amend

it. এই আবার কথা। কাজে কাজেই the Corporation is the final authority. Corporationএর এই ক্ষমতা থাক। দরকার এবং Corporationএর স্বকিছু করবার কৃত্যু থাক। দরকার, শুধু কমিশনার নিজে কিছু করতে পার,বন না। এবং এই ক্ষমতা Corporationএর হাত থেকে কেউ না নিতে পারে। এই ক্ষনাই বলছিলান Corporation ইচ্ছা করতে এই Schedule of posts amend করতে পারে যদি তাঁরা পুরোজন মনে করেন, এই হল আবার amendment.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, as Dr. Suresh Chandra Banerji has himself seen, we have accepted the principle, viz., the Corporation should on its own initiative do something. Only we said that before doing so, it should consult the Commissioner and the Standing Finance Committee who are concerned in the matter. That is all.

The motion of Sj. Sushil Kumar Banerjee that in clause 86(3), in line 2, after the words "amend it" the words "either of its own motion after ascertaining the opinion of the Commissioner and the Standing Finance Committee or" be inserted, was then put and agreed to.

Mr. SPEAKER: Amendment No. 141 falls through.

The question that clause 86, as amended, do stand part of the Bill, was then put and agreed to.

## Clause 87.

SJ. SUSIL KUMAR BANERJEE: Sir, I beg to move that in subclause (2) of clause 87, in lines 2 and 3, after the words "temporary appointment" the words "for a period not exceeding six months" be inserted.

The motion was then put and agreed to.

The question that clause 87, as amended, do stand part of the Bill, was then put and agreed to.

#### Clause 88.

**Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 88(b), in line 1, after the words "other cases" the words "subject to the approval of the Corporation" be inserted.

এখানে কথা হচেছ যে, by the Commissioner in all other cases—এখানে আনি বৃদ্ধে চাই subject to the approval of the Corporation. অর্থাৎ যে সমস্ত post Corporationa, 250ৰ below হবে সেই সমস্ত appointmentaন ভান দেওলা হচেছ to the Commissioner. এবন এই Commissioner যদি Corporation কর্ত্বক নিযুক্ত হতেন ভাহ'লে আপত্তি করতাম না, কিন্তু আমার আপত্তি হচেছ যেহেতু Government কমিশনার নিযুক্ত করবেন, সেজনা এই সমস্ত post কমিশনারের হাঙে ছেডে দিতে আমার আপত্তি। এটা যদি ছেডে দেওলা হয় ভাহ'লে আমারা নান বাব বাব বলেছি, এখানে আবার বল্ডে চাই না—দেখা যাবে to the lowest peon পর্যান্ত Corporation এর যত কর্মচানী আছে সমস্ত appointmentই directly or indirectly Governmentaর হাডে গিলা পড়ে। কাজে কাজেই এখানে আমি দিয়েছি subject to the approval of the Corporation. কমিশনার নিযুক্ত করবেন কিন্তু final approvalবর ভার Corporationএর উপর দেওলা উচিৎ। অর্থাৎ আগোগোডা যত amendment দিয়েছি ভাদের সমস্তের লক্ষ্যই এক। আমাদের লক্ষ্য Governmentaর ক্ষমতা নভ্যানি সম্বন্ধ কমিয়ে, দিয়ে Corporationএৰ হাডে যত বেশী ক্ষমতা দেওলার দিকে। আনালের amendment Government বেনে নেবেন না জানি, কিন্তু ভাদের মেনে নেওলা উচিৎ। কারণ, majority of the posts of the Corporation 250র নীচে।

স্থানাং অধিকাংশ কর্মচারী নিরোগের ভার এইভাবে একেবারে Commissionerএর হাতে দেওয়া উচিৎ দর। Subject to the rules and regulations made by the Municipal Service Commission—এই কথা Dr. Roy বলেছেন, ভার নানে কিছুই হয় না। কারণ আগনে কর্মচারী নিরোগের ভার Commissionerএর হাতেই রয়ে গেল। Commissionerএর হাতে এভখানি ক্ষমতা না দিয়ে Corporationএর হাতে কিছু ক্ষমতা রাখা দরকার, যেন Corporation ইচছা করনেই কারও চাকরী নাকচ্ করে দিতে পারে—এইটা subject to the approval of the Corporation হওয়া উচিত। স্কভরাং ২৫০ টাকার নীচে মাইনের যে গরস্ত কর্মচারী আছে ভাদের নিয়োগের ভার Corporationএর হাতে দেওয়া হক্। এই হচছে আমার বন্ধবা।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I do not think the amendment of Dr. Banerji is practical, because the appointment of a Durwan cannot wait before the Corporation decides on his appointment. Therefore, I oppose the amendment.

The motion of Dr. Suresh Chandra Banerji that in clause 88(b), in line 1, after the words "other cases" the words "subject to the approval of the Corporation" be inserted, was then put and a division taken with the following result:—

#### AYES-11.

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti. Bhandari, Sj. Charu Chandra

Chatterjee, Sj. Haripada Choudhury, Sj. Ananda Prosad De, Sj. Kanai Lal Ghose, Sj. Bimai Comar Ghose, Dr. P. C.

#### NOES-44.

Abduilah, Janab S. M.
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad.
Bhattacharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass, Sj. Kanalial
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Haldar, Sj. Kuber Chand
Khuda Bukhsh, Janab Md.
Mahammad Sayeed Mia, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mailick, Sj. Sahutosh

Mandal, Sj. Bankubehari
Mandal, Sj. Krishna Prasad
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab
Muhammad Qumruddin, Janab
Muhammad Siddique, Dr. Syed
Murarka Sj. Basantlal
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Hem Chandra
Panja, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Sen, The Hon'ble Prafulla Chandra
Serajuddin Ahammad, Janab
Shamsul Huq, Janab
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Zaman, Janab A. M. A.

The Ayes being 11 and the Noes 44, the motion was lost.

The question that clause 88 do stand part of the Bill was then put and agreed to.

#### Clause 89.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that clause 89(1) be omitted.

I also move that in clause 89(4), lines 4 to 6, for the words beginning with "The State" and ending with "may be", the words "The Municipal Service Commission" be substituted.

I also move that in clause 89(5), lines 2 to 4, for the words beginning with "State Public" and ending with "may be" the words "Municipal Service Commission" be substituted.

8j. BIMAL COMAR CHOSE: Sir, I beg to move that in clause 89(1), lines 2 and 3, the words beginning with "and to posts" and ending with "rupees per month" be omitted.

I also move that clause 89(2) be omitted.

I further move that clause 89(3) be omitted.

I move again that in clause 89(4), lines 5 and 6, the words "or the Municipal Service Commission" be omitted.

I move that in clause 89(5), line 3, the words "or the Municipal Service Commission" be omitted.

I move also that in clause 89(6), line 4, for the word "Municipal" the words "State Public" be substituted.

Sir, this clause refers to the mode of appointment of officers other than those we have already provided for. Two sets of amendments have been moved—one by the Leader of the Opposition and one by myself. Both sets of amendments are quite all right. If mine is not accepted, I would prefer that Dr. Banerji's be accepted. The position is this: the question is how the municipal employees shall be appointed. It appears to me that a very cumbrous procedure has been suggested. Certain appointments are to be made by the State Public Service Commission. Certain other appointments are to be made by the Municipal Service Commission—(The Hon'ble Dr. Bidhan Chandra Roy: Not made, recommended.) Both the State Service Commission and the Municipal Service Commission recommend and when I say "make" I mean recommend all the time. Sir, I feel that this is a cumbrous procedure and there is no necessity for two bodies to be set up. If there was only one body, it would be more economical and I should like to be convinced as to why there should be the necessity of two bodies which are more or less of the same nature. It is of course very difficult to convince the Chief Minister. Probably he will retort—as he said yesterday while replying—that I was arguing like a lawyer in a mofussil court. Sir, if he were not the Leader of the House I probably would have drawn a comparison between the performance that he has made and that of a mukteer, but that is beside the point. What I should like to convince him is this. He was not right when he said yesterday that so far as the franchise was concerned, everybody in the House had agreed, and so what is the difference. There are two points—first, everybody in the House did not agree although it was passed by a majority. The Chief Minister might as well say that in England Mr. Churchill had agreed to the Steel Nationalisation Act, because that was passed by Parliament. Secondly, whether what was passed or not is not the point at issue, but the point at issue is what is good. Now, Sir, I would request you to examine the composition of the two Service Commissions—the State Public Service Commission as appointed by the Government and the Municipal Service Commission; its constitution as provided for under clause 90, which provides that it shall consist of (a) a Chairman who shall be a member of the State Public Service Commission deputed by such Commission from time to time and (b) two members one of whom shall be nominated by the State Government and the other by

the Corporation. For one thing there will be two members appointed by the Government and we have always been arguing that that will take away from the Corporation its powers. Of course that is the objective of the Government to take away powers from the Corporation and to have these powers to themselves. That has been all through our contention. Secondly, I see here that two members will be appointed by the Government whereas in the case of State Public Service Commission you have all the three members appointed by the Government and I do not see much difference in the Constitution of the two Service Commissions to justify that certain appointments are to be made by the one and certain others by the other Commission, because I feel that the constitution of the Municipal Service Commission as provided in the Bill is such that it should be quite competent to make recommendations for the appointments of all the employees concerned.

Why I have suggested State Public Service Commission instead of Municipal Service Commission—the reasons are primarily two-fold. Firstly, it would be economical; secondly, I felt that if it were the State Public Service Commission instead of the Municipal Service Commission, the Corporation will be saved so much of expenditure, because in the case of the State Public Service Commission the expenditure is met by the State Government and to that extent it will be an advantage to the Corporation to have the services of the State Public Service Commission and at the same time it might also be said that the appointing or the recommendatory body was one over which the Corporation has no control whatsoever. And I feel that in the matter of the appointment of the employees of the Corporation it would not be a bad thing if the recommendatory authority was somebody unconnected with the Corporation. But what I have suggested is that it should be subject to the approval of the Corporation and not of the Government as Government want, because the Chief Minister has already pointed out that all the Service Commissions are recommendatory bodies and they can only recommend for appointment and the recommendations should have gone to the Corporation and not to the State Government, and that is why I suggest that it should be the State Public Service Commission instead of the Municipal Service Commission. But if it is considered that the Corporation should have its own Public Service Commission I have no quarrel with that. But then my point of view is that all the appointments must come under the purview of the Municipal Service Commission and a section of it should not be made by the State Public Service Commission. Now, what is the basis of the difference? When you look at the clause, Sir, you will find that the basis of the difference is in the salaries that the different offices carry with them. Now, the natural implication is that the Municipal Service Commission is not competent to recommend for appointment officers carrying salaries higher than a certain figure, but that I object to because I say that the constitution of both the Service Commissions is practically the same and therefore there is no reason as far as I can see-of course the Chief Minister's reason supersedes everybody's reason because he does not require reason as he has numbers behind him-but as I say that the constitution is more or less the same, therefore it would simplify matters and it would also be economical if instead of two Service Commissions we have only one. I shall not quarrel as to whether it shall be the State Public Service Commission or the Municipal Service Commission. If the Government will accept any one I shall be satisfied, and if they accept the Municipal Service Commission as the amendment of Dr. Banerji aims at. then I shall gladly withdraw my amendment; but if my amendment is accepted I would request Dr. Banerji to agree to that. But I feel that the arguments are all in favour of the amendments that I have moved and therefore Government should accept them.

Dr. SURESH CHANDRA BANERJI: বাননীর শ্লীকার বহালর, আবরা যে বৰ amendment দিবছি তা একটু ভালো করে পড়লেই বোঝা যার বে Corporationএর appointment সম্বন্ধ আবরা কি চাই। Clause ৪৪এ বলা হরেছে বে ২৫০, টাকার কর যদি নাইনেটা না হয় এবন বে সম্বন্ধ কর্মচারী ভাদের নিরোগ Corporation নিছেই করবে। আর ২৫০, টাকার নীচে যাদের মাইনে ভালের নিরোগ করবেন ক্ষিশনার। এবং সঙ্গে বোগ করে দিয়েছেন—Subject to the approval of the Corporation কর্মচারী নিয়োগ করবেন ক্ষেব্দায় ২৬০, টাকা মাইনের উপর পর্যন্ত। আর ২৫০, কম যাদের মাইনে ভাদের নিয়োগ করার ভার থাক্রে ক্ষিশনাবের উপর, এবং ভাও আবার Corporationএর অনুযোদন সাল্পেক।

এখন 89 (1)টা আমি omit কবতে বলছি। এতে বলা হয়েছে যে সমন্ত কৰ্মচারীর মাইনে দেড় হাজার টাকার নীচে নয়, তাদের নিয়োগেব ভাব থাকবে—State Public Service Commissionএর উপর; কিছ এই State Public Service Commissionটা কি? এটা যে Governmentএর হাতের ক্রীড়নকমাত্র, একথা আমরা বার বার বলেছি, কেন না মর্দ্ধে সেটা আমরা উপলব্ধি করেছি। স্থতরাং State Public Service Commissionএর হাতে appointments ছেড়ে দেওমা, আর Governmentএর হাতে ক্রান্ডনি ভূলে দেওমার মধ্যে কোনই পার্থক্য নাই।

ভারপরে কথা হচেচ,—गामের মাইনে দেড হাজাব টাকার কম, কিন্ত ২৫০১ টাকার কম নয় ভাদের সম্বন্ধ আব কিছু না বলে এখন ছেড়ে দিলাম। এখন Municipal Service Commissionটার কথা আগে বলে নিই। এতে যে তিনজন member থাকবেন তাব মধ্যে প্রধান যিনি—অর্থাৎ Chairman তিনি আসবেন State Public Service Commission খেকে, আর বাকি দল্পনের একজন নিয়োগ করবেন Corporation जात এककंन करतन शर्ज्यमण्डे। ज्वाजाः बहात शर्ज्यमण्डेन ज्वान राज्यमा विकास राज्यम राज्यमा विकास राज्यम Chairmance नियक करत्वन Corporation, এবং আর যে मुखन member তাৰ একজন করবেন সরকার আর একজন নিয়োগ করবেন Corporation এইটাই হচেচ আনার amendment. তারপরে আর একটা amendment जाएह, यथन त्कान vacancy शत त्य ठाकतीत्र माहेरन २०० होकात कम नग्न, ता ठाकुरीएड নীচেব officerকে promotion দিয়ে, না বাইবে পেকে লোক এনে সেটাকে fill up করা হবে-এই হচেচ পুৰা। এই পুৰোৰ উন্তর দিতে গিয়ে বলা হয়েছে State Public Service Commission or the Municipal Service Commission as the case may be এখানে আমার বন্ধব্য হচেচ Municipal Service Commissionই পেটা করবে, State Public Service Commission নয়। আমরা চাই Corporationকেই সমন্ত কিছু ক্ষমতা দিতে তাকে really একটা Self-governing body করে গণতম্মনক পতিষ্ঠান করতে,—আর Government চাইছেন গভর্ণনেপ্টেরই একটা Slave Department ভাকে পৰিণত করতে। কিন্তু সেটা আমবা কিছতেই হতে দিতে পারি না, এই সেই দিকে লক্ষ্য রেখেই আমি amendment पिरविष्ट्। खानि, शर्जारमण्डे এর একটাও নেবেন না, তব্ও আমাদের কর্ত্তব্য आमता কবছি।

8j. HEMANTA KUMAR BASU: মাননীয় স্পীকার মহাশয়, এই clauseটা বিশেষ পুষোজনীয় clause, এ সহজে ভা: স্থাবেশ বানাজি যে পুস্তাব এনেছেন তাঁর সেই সংশোধনী পুস্তাব আদি সমর্থন কৰি। Corporationএৰ হাতে যে সমস্ত ক্ষমতা পাকা উচিত ছিল সেইসৰ ক্ষমতাপ্রলি গতর্গনেণ্ট নিজের হাতে নিয়ে নিচেছন, Public Service Commission ত সম্পূর্ণই Government কর্ত্বক নিযুক্ত একটা প্রতিষ্ঠান। এবন আর Municipal Service Commissionটাও Governmentএরই একটা Departmentএ পবিশত হতে চলেছে। কারণ তার Chairman নিযুক্ত হবে State Public Service Commission কর্ত্বক, আর যে পুজন member তাবও একজনকে নিযুক্ত করবেন গতর্গনেণ্ট আর বাকি যে একজন member মাত্র তিনি নিযুক্ত হবেন Corporationএর হারা। তার ফলে State Public Service Commission যে ভাবে নিযুক্ত হরেছেন,—Municipal Service Commissionএ ঠিক ভাবেই হতে বাচেছ।

কিছ আমাদের স্থাপ্ট অভিযন্ত এই বে গেশে যতগুলি autonomous body রয়েছে যদি ভাগের কার্য্য পরিচালনার ভার ভাগের নিজেপের হাতেই ছেভে দেশুরা বার ভারতেই শালনকার্যা ভাল ভাবে চলবে। কলকাথ। সহরের মতন বৃহত্তম শহরের শিক্তি নাগরিকগণ নির্বাচিত প্রতিনিধিগণের হার। পঠিত থে কর্পোনেশন, তার শাসনব্যবদ্ধা প্রতিনিধিরাই নিরন্ত্রপ করবে, তাদের যে সব ক্ষমতা থাকবে, তার মধ্যে চাকরীতে লোক নিরোগ একটা বড় জিনিঘ। দেবা যায় অনেক সমরই স্থাসন বা কুণাসন উভরই নির্ভর করে এই কর্মচারী নিরোগের উপর। এবং যে কর্ত্বপক্ষের অধীনে কর্মচারীদের কাজ করতে হবে তাদের হারা নির্দ্ধ না হরে তারা যদি বাইরে বেকে নির্দ্ধ হয়, তাহলে Corporationএর যারা নাকি পুক্ত কর্তা তাদের হাতে ক্ষমতা কিছুই থাকছে না ক্ষমতাটা যাচেছ গভর্গবেশ্টের হাতে। এই জন্য এই Municipal Bill সম্বন্ধে কলকাতার জনসাধারণ বিশেষ অসম্ভই। কলকাতার নাগরিকদের ক্ষমতায় বঞ্চিত করার এই যে ব্যবদ্বা বর্ত্তমান সরকার করছেন তার আমরা বিশেষ পুত্রবাদ করি। এবং আমি ডা: বানাজির সংশোধনী পুদ্ধাবটা সম্পূর্ণ স্মর্থন করি।

Janab ABDUL AZIZ ANSARI: Mr. Speaker, Sir, in clause 19 the agency of employment as suggested in the Bill is the State Public Service Commission. Now, in this clause 89 we find that a new agency has been brought in by the name of the Municipal Service Commission. I really cannot understand what is the reason behind it except that it may be to provide more employment to the people on the Municipal Service Commission. The State Public Service Commission is the recognised agency for recruitment of all services under the State. The Federal Public Service Commission of the Government of India is the agency for employment, I can speak from personal experience, of even assistants in the Government of India, and therefore the argument cannot be advanced that it will be derogatory to the status of the State Public Service Commission, if municipal services are to be recruited through it. My submission is that apart from this it will be burdening the municipal finances and will achieve no better object. The object will be better achieved if only one agency of employment were to be created under the Act, that is, the agency through which the Commissioner is going to be appointed, which is the State Public Service Commission. Therefore, Sir, with these few words I support the amendment moved by Mr. Ghose that this sub-clause (3) should be deleted.

SJ. SIBNATH BANERJEE: মিটাৰ স্পীকাৰ, স্যাৰ, Municipal Service Commission গদ্ধৰে আমি বলতে চেমেছিলাম, কিন্তু আমার পূর্ববর্তী বক্তা যা বলেছেন ভাতে আমাৰ কাজ সোজা হয়ে शिरप्रदेश। टींब कथा व्यामि गमर्थन कडिं। व्यामारमंत यमि standardise कडरू इस छाइटन এकहे। State Public Service Commission হওয়া দরকার, তা না হ'লে আছকে Municipal Service Commission, কালকে হাওড়ার জন্য অন্য একটা, পরস্তদিন Universityর জন্য একটা, ভারপরদিন Presidency Collegeএর জন্য আরেকটা এমনি করে অনেকগুলি কবতে হর। একটা Public Service Commission নমেছে, সেটা ভৰ্ recognised bodyই নম; তাতে standardise করারও স্থাবিধ ছয়। Qualificationএর ভিত্তিতে এক agency ও organisationএর ভিতৰ দিয়ে appointment इ'ल standardised इरव। छ। ना इ'ल danger पार्छ। এवः घरनक तकम anomalyत्र प्रहे ছবে। স্নতরাং এই groundএ এই আপত্তি করা উচিত। সরকাব পক্ষ থেকে ডা'হলে হয়তো argument দেওম। ২বে যে, তাতে কাম্ম বেড়ে যাবে। সেই bodyৰ লোক বাড়িয়ে দিয়েইতো বাড়তি কাম্ম চল্ডে পারে। বেষন Tribunalএর ব্যাপারে দেখেছি—presiding ও supervising authority Chairman এবং তিনি সেটা guide কৰেন সেইভাবে State Public Service Commissionএর কাল যদি বেশী হয়ে যায় ডা'হলে personnel বাড়িয়ে দিয়ে কাজ হতে পারে, sub-divided কবা যেতে পারে। আমার মনে হয় সেটা একটা special pocket করার চেষ্টা ২চেছ, সেজনাই অভ্যন্ত দোঘনীয়। এখানে এই যে ১৩টা amendment এপেছে subclause 1, 2 ইত্যাদি ক'রে তার কোনটাই পাস হওয়া উচিত নম। 600 clause আছে, তার প্রত্যেকটি rejected হওয়া উচিত। প্রত্যেকটি clauseএর উপর বন্ধতা করে আরি गमग्र नष्टे कद्रत्ए हारे ना। किन्त म'वकी क्या छानित्य पिए हारे। यश्वन important एश्वन गश्रक দ্'একটি কথা বলছি। ভারপর, আরেকটি জিনিদ বল্তে চাই, তা হচেছ আমরা ১।।০ হালার টাকার বেশী बाहिरन निएए बाकी नहे। काक्ष्म minimum त्वचारन ७०० होका रम्बारन maximum ७०० होका भर्वाप्र

ছতে পারে। যদি ১০০ হাজার টাকাও করতে হয় জবে lowest pay ১৫০, টাকা করা উচিন্তা ১০০ হাজার টাকা করতে আমরা fundamentally opposed, আমরা যদি এবন আপত্তি না করি, তাহ'লে পরে আপানারা বলবেন ''তোমরাই তো যেনে নিয়েছ'', সেই হিসাবেও আপত্তি করা উচিন্ত। Central Government বা দেন dearness allowance, house allowance, city allowance ইত্যাদি বাবৰে ভার মাত্র ২০০ ভাগ এবানে দেওয়া হচেন্ত। minimum অনেক কম, maximum অনেক বেশী। এবানে maximum এবং minimumএর মধ্যে এত ভেদ স্প্রী করা হচেন্ত কেন । এই সমন্ত কিছুরই পুরোজন থাকে না যদি এই ব্যাপারটা State Public Service Commissionএর মধ্যে রাখা যায়। যারা সভ্যিকাবের কাজ করে এবং কর্পোরেশনকে বাঁচিয়ে রাখে ভারা পারে মাত্র ৬০০, টাকা আর যাঁর। গদিতে বনে থাকেন তাঁরা পাবেন ১০০ হাজার টাকা। বৃদ্ধির পরিমাণ হিসাব করার জন্য কোন meter আজ পর্যন্ত বার হমনি। Dr. Roy খুব উচচহাবে ফি নেন, তিনি মনে করেন যে, অন্যান্য ডাঙ্গারের চেয়ে তাঁর বৃদ্ধি বেশা। এটা হচেন্ত Capitalistic Societyৰ মুলনীতি। যাক, এই clauseটা আনাদের principle হিসাবে বেনে নিতে পারি না। আনি নিজে কোন amendment না দিলেও বণ্ছি যে, সৰ clauseটা should be deleted

81. JYOTI BASU: .Mr. Speaker, Sir, I do not think there is much to be said about this clause after what has been said already by many of the speakers on this side. But what I feel is that this particular clause 89 read with clause 90 is a colossal farce. I would have preferred if the Government had done as they have actually done in the case of the other clauses where they have taken full powers and directly rule the Corporation from inside. That is preferable to me than this underhand means of attempting to hoodwink the people by this particular clause, because I do not find any difference between the State Public Service Commission and the Municipal Commission in its composition as will be evident from the clause which is coming next. After having provided for the composition of both these commissions in a way by which the Government concentrate all power and authority in their hands this particular clause 89 provides for the appointment of certain officers—some by the Municipal Service Commission and others by the State Public Service Commission.

Now, Sir, this difference I do not understand. It is like tweedledum and tweedledee. I hope the Hon'ble Chief Minister will enlighten us on the matter. To my mind, as far as I can understand having read both the sections, and from the way in which they have been framed, it is only a show and a demonstration. It is not a direct way of ruling or administering things inside the Corporation. It would have been far better if the Government had appointed a simple commission to deal with all appointments. But then why has this clause been framed in this particular way? To my mind, it is because the Government want to tell the people "I am giving some authority to the Municipal Commission with regard to the appointment of certain officers, and I am keeping the power with regard to the appointment of other officers through my Public Service Commission". But if this difference had really been there I would not have minded. But since I find no difference in the composition of these commissions, I am wholly opposed to this clause 89. I find that I cannot blame the Hon'ble Chief Minister. He has learnt this method of administering things, this top heavy administration, from the British Imperialists, and he is following in the same footsteps. He does not know how to do it in a simple way that the people would understand and follow. Therefore I am wholly opposed to this clause, and I am sure that if the Government has any sense left, they would accept certain of the amendments which have been moved from this side of the House.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, it is very difficult for any one to indicate the difference between tweedledum and tweedledee. It appears that among the members of the Opposition there are three

opinions. One says the Public Service Commission. The other says the Municipal Service Commission; and the third says "Do away with both Commissions". Sir, the one point that I want to make perfectly clear is this. When I heard the speeches of the Opposition members, I am afraid they are subject to confused thinking. It is not that any of these appointments contemplated under clause 89 is to be made either by the Public Service Commission or the Municipal Service Commission. They are merely recommending bodies. They are merely cleaning bodies. The Corporation need not accept its recommendations in toto. I say this with some amount of emphasis, because I have noted down several expressions used by members opposite which show that they are confused when they say that the Government are appointing these officers. Any appointment under clause 89 is not subject to even the approval of the Government. The Corporation is the final authority. So it is no use confusing the real issue. The issue is perfectly clear. One appointment under clause 19 is to be made by the Government on the recommendation of the Public Service Commission. Appointments under clause 85 are to be made by the Corporation on the recommendation of the Public Service Commission subject to the approval of the Government. All other appointments under clause 89 are to be made by the Corporation except appointments carrying a salary below Rs. 250. If everybody were to follow my friend Sj. Sibnath Banerjee, things would have been easy, namely, doing away with an income more than Rs. 600. There would be no Corporation, because other people would pay higher. Then the whole thing would dissolve itself very easily. He is very much worried that I charge Rs. 1,000 while another doctor charges only Rs. 2. Sir, I am serving the Socialist party's objective because I take away money from the capitalists and give it to others who want it. Therefore it is one of the methods of socialism which I am using as far as possible.

Sir, my friend Mr. Bimal Ghose says that we have number but no reason. Let me tell him that number does not come without any reason. The number comes because I talk reason, and they listen to reason.

The motion of Dr. Suresh Chandra Banerji that clause 89(1) be omitted was then put and a Division taken with the following result:—

#### AYES-10.

Bàndyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanal Lal Ghose, Sj. Bimal Comar

#### NOES-42.

Abdullah, Janab S. M.
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass, Sj. Kanailal
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Golam Hamidur Rahman, Janab
Gemes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Rhoda Bukhsh, Janab Md.

Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Beharl
Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati
Maj, Sj. Iswar Chandra
Mallok, Sj. Ashutosh
Mandal, Sj. Krishna Prasad
Mandal, Sj. Krishna Prasad
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab
Murarka, Sj. Basantlai
Musharruff Hossain, Janab
Naskar, The Hon'ble Hem Chandra
Panja, The Hen'ble Jadabendra Math

Pramarik, Sj. Rajani Kanta Rafiuddin Ahmed, The Hon'ble Dr. Ricketts, Mrs. E. M. Roy, The Hon'ble Dr. Bidhan Chandra Roy, Sj. Jajneswar Roy Singh Sarker, Sj. Satish Chandra Sen, The Hen'ble Pratulia Chandra Serajuddin Ahammad, Janab Shamsul Hug, Janab Sinha, The Hon'ble Bimal Chandra Zaman, Janab A. M. A.

The Ayes being 10 and the Noes 42 the motion was lost.

The motion of Sj. Bimal Comar Ghose that in clause 89(1), lines 2 and 3, the words beginning with "and to posts" and ending with "rupees per month" be omitted was then put and lost.

The motion of Sj. Bimal Comar Ghose that clause 89(2) be omitted was then put and lost.

The motion of Sj. Bimal Comar Ghose that clause 89(3) be omitted was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 89(4), lines 4 to 6, for the words beginning with "The State" and ending with "may be" the words "The Municipal Service Commission" be substituted, was then put and a Division taken with the following result:—

#### AYES-10.

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Ghose, Sj. Bimai Comar

#### NOES-43.

Abdullah, Janab S. M.
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass, Sj. Kanalial
Dolui, Sj. Harendra Nath
Outt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Golam Hamidur Raman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem All Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khuda Bukhsh, Janab Md.
Mahammad Sayeed Mia, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati

Mai, Sj. Iswar Chandra
Mailick, Sj. Ashutosh
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab
Murarka, Sj. Basantlai
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pentony, Mr. L. R.
Pramanik, Sj. Rajani Kanta
Raĥuddin Ahmed, The Hon'ble Dr.
Ricketts, Mrs. E. M.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Walker, Mr. J. R.
Zaman, Janab A. M. A.

The Aves being 10 and the Noes 43, the motion was lost.

The motion of Sj. Bimal Comar Ghose that in clause 89(4), lines 5 and 6, the words "or the Municipal Service Commission" be omitted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 89(5), lines 2 to 4, for the words beginning with "State Public" and ending with "may be" the words "Municipal Service Commission" be substituted, was then put and lost.

The motion of Sj. Bimal Comar Ghose that in clause 89(5), line 3, the words "or the Municipal Service Commission" be omitted, was then put and lost.

The motion of Sj. Bimal Comar Ghose that in clause 89(6), line 4, for the word "Municipal" the words "State Public" be substituted, was then put and lost.

The question that clause 89 do stand part of the Bill was then put and a Division taken:—

(When the Division bell was ringing.)

Mr. SPEAKER: You should consider whether on the main clause you should call for a division.

81. SIBNATH BANERJEE: Sir, I want deletion of the whole clause.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Wish is the father of thought.

#### AYE8-41.

Abdullah, Janab S. M.
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattaoharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dass, Sj. Kanalial
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Golam Hamidur Rahman, Janab
Gomes, Mr. D.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid
Khuda Bukhsh, Janab Md.
Mahammad Sayeed Mia, Janab
Mahanty, Sj. Charu Chandra
Maiti, The Hon'ble Nikunja Beharl
Majhi, Sj. Nishapati
Majumdar, The Hon'ble Bhupati

Mai, 8j. Iswar Chandra
Mailick, 8j. Ashutosh
Mandai, 8j. Umesh Chandra
Misra, 8j. Sowrindra Mohan
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pentony, Mr. L. R.
ramanik, 8j. Rajani Kanta
Rafiuddin Ahmed, The Hon'ble Dr.
Ricketts, Mrs. E. M.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, 8j. Jajneswar
Roy Singh Sarker, 8j. Satish Chandra
Sen, The Hon'ble Prafull Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Walker, Mr. J. R.
Zaman, Janab A. M. A.

#### NOES-10.

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti

Bhandari, Sj. Charu Chandra Chatterjee, Sj. Haripada Choudhury, Sj. Annada Prosad De, Sj. Kanai Lal Ghose, Sj. Bimai Comar

The Ayes being 41 and the Noes 10, the motion was carried.

#### Clause 90.

**Dr. SURESH CHANDRA BANERJI**: Sir, I beg to move that in clause 90(I), line 1, for the words "State Government" the word "Corporation" be substituted.

I further beg to move that in clause 90(I)(a), lines 1 to 3, for the words beginning with "a member" and ending with "to time" the words "nominated by the Corporation" be substituted.

**8j. HEMANTA KUMAR BASU:** Sir, I beg to move that in clause 90(1)(6), line 1, for the word "two" the word "four" be substituted.

- I further beg to move that in clause 90(1)(b), line 2, for the words "the other" the words "three others" be substituted.
- **8j. JYOTI BASU:** Sir, I beg to move that in clause 90(I)(b), line I, for the word "one" the word "both" be substituted.
- I further beg to move that in clause 90(I)(b), line 2, the words "State Government and the other by" be omitted.
- 8j. HEMANTA KUMAR BASU: শ্লীকার বহাণম, আমার এই amendmentএর উদ্বেশ্য হচেচ--Municipal Service Commission যে ভাবে গঠিত হচেচ ভাতে দেখা মাচেছ--State Public Service Commissionএর একজন Chairman হবেন, অর্থাৎ গভর্ণমেণ্টেরই নিযুক্ত একজন হবেন। তার পর আর দু'জন যে বেশ্বর হবেন তারও একজন হবেন গভর্ণমেণ্টের লোক বাকি একজন মাত্র Corporationএর হারা মনোনীত হবেন। সেইজন্য আমার amendmentএর উদ্দেশ্য হচেছ যেখানে clauseòlico ২ জন মেবরের কথা বলা হয়েছে, সেখানে ৪ জন হোক, এবং তার একজন গভর্ণমেণ্টের হারা নিযুক্ত হবেন, আর তিন জন হবেন কর্পোরেশনের হারা। এতে হবে এই গভর্ণমেণ্টের লোক থাকবেন Chairmanকে ধরে দু জন, আর Corporationএর থাকবেন তিন জন। ফলে Commissionএ Corporationএর কর্ত্রটা ঠিক থাকবে।
- 8j. JYOTI BASU: Mr. Speaker, Sir, this clause 90, as I have already stated, deals with the constitution of the Municipal Service Commission. Now, the Hon'ble Chief Minister in an earlier clause had stated that we are suffering from an illusion in that we have not understood that it will be the purpose of the Municipal Service Commission as well as the State Public Service Commission to recommend candidates for certain specific posts. Now, we are not suffering from any illusion, but if it is so, if these bodies are merely recommendatory bodies, then why is it that as far as the Municipal Service Commission is concerned, the State Government will not only appoint the Chairman but amongst the two other ordinary members, one will be appointed also by the State Government. If it be so, if it has only recommendatory powers, then at least in this particular clause our amendment should be accepted that the Chairman may be appointed by the Public Service Commission but at least the two other members may be appointed by the Corporation. Now, I am sure that everybody would agree with me if I say that if this particular amendment also is objected to by the Government, then there is some sort of scheme or the Government has in mind some idea whereby the appointment of officers, even though recommended by the Municipal Service Commission, will be done in such a way that Government can control the appointment through the Municipal Service Commission through the Chairman and the other member who will be in a majority inside the Municipal Service Commission. That is why I have suggested my amendment to test the Government whether they really mean what they say. That is all that I have got to say with regard to the amendments which I have suggested.
- 8]. BIMAL COMAR CHOSE: Mr. Speaker, Sir, with regard to this clause—clause 90—there was something which the Chief Minister said in reference to the previous clause and wanted to make out that certain powers are still left with the Corporation in regard to appointments. He stated that so far as the Commissioner is concerned the appointment is to be made on the recommendation of the Public Service Commission by the Government and in respect of that appointment, of course, he will agree that the Corporation has no say. Then there are certain appointments which are to be made on the recommendation of the Public Service Commission by the Corporation subject to the approval of the Government. So in respect of these appointments also the power of the Corporation is practically nothing. Then he said that there are other appointments which will be made on the

recommendation of the Municipal Service Commission and that the power of the Service Commission is merely recommendatory and that the Corporation is not bound to accept those recommendations. I do not understand really what the Chief Minister means. Does he wish that the Corporation should also follow the example of the Government in not accepting the recommendations of the Public Service Commission? Does he want to encourage that procedure that you appoint a Public Service Commission and the recommendations of the Public Service Commission shall not be accepted as is the case very often now with the Government? What the Chief Minister had stated was rather surprising, because he should not have made a statement here and said that it was not obligatory. Of course that was a technical position that it was not obligatory for the Corporation to accept the recommendations of the Municipal Service Commission, but as a matter of principle and as a matter of general practice the recommendations should always be accepted. Therefore the composition of the Municipal Commission is very important.

If really Government wanted some amount of authority to be left to the Corporation in the matter of appointment, then it would have stood to reason that the Government would not have tried to manoeuvre the composition of this Service Commission. If it is suggested, Sir, that the Commission is an independent body, therefore, there is no question of Government wielding any influence over this body, the question arises then why have the Government nominees on this Commission and why don't they empower the Corporation to nominate or appoint the members of this Service Commission? The only reason that can be adduced is that the Government have not sufficient faith in the appointments that the Corporation might make or the nominations that the Corporation might make to this Municipal Service Commission. And what does that mean? Why will Government have no confidence? That means that the Corporation might nominate or appoint such men who will not be amenable to the influence of Government, and that is the only reason why Government have manoeuvred the composition of this Commission in this fashion, and that is why we have been urging here that in almost every clause it is the designed objective of the Government to see to it that no authority or power is left to the Corpora-tion. We have seen clause by clause in regard to the officers who will man the Corporation what the Government is doing. First, the appointment of the Commissioner is taken completely out of the purview of the Corporation. Then there are certain appointments which are practically out of the purview of the Corporation although the Corporation has a position in the middle, and there are other appointments which are to be made by the Corporation, but on the recommendation of a Commission whose recommendation should ordinarily be accepted, and the constitution of that Commission is to be such that the Government will have complete control. Sir, that is not fair and that proves to the hilt our contention that the Government is determined to see to it that the Corporation will be a mere department of the Government, and that is why I have suggested that if that was the objective of the Government, then there was no necessity for bringing forward a Bill like this. They could have continued administering the Corporation as they are doing today.

Sj. SIBNATH BANERJEE: Mr. Speaker, Sir, আনি বন্ছি Municipal Service Commissionএর কোন পুরোজন নাই, বরং এটা করলে harmful হবে। স্থতরাং এই clauseটা একেবারে অবাধনীয়। যদি এটা না থাকে ভাহ'লে Constitutionএর অনেক change করতে হবে। আনি আপত্তি আনাছিল এই ব'লে যে, এই Municipal Service Commission একটা harmful, retrograde step. Dr. Roy capital সম্ভ এখানে একটা originial ভাষ্য দিরেছেন – ভিনি capitalর্ব বা definition থিবেছেন ডা হচ্ছে একজন coblerুর capital হচ্ছে ভার ব্যাণাতি, বেবন একজন ভাজারের capital হচ্ছে

তার Stethescope. আনার বতে তাঁর Karl Marxএর যত একটা নূতন "Capital" নেখা উচিত। তিনি একজন বিক্ল নোক, তাঁকে আমর। শুদ্ধা করি, কিছ মাঝে মাঝে তিনি এমন সব লজজার ও হাস্যাশিশ উচ্ছি-করেন বে, লজজার আমাদের মাধা নত হয়। তাই তিনি originial ভাষা যত কম দেন ততই ভাল।

Mr. SPEAKER: Is there anything in this clause regarding all these?

The Hon'ble Dr. BIDHAN CHANDRA ROY: He is obsessed with my 36 lakhs!

SJ. SIBNATH BANERJEE: In the previous speech the Chief Minister introduced an argument. I did not want to interrupt him then. I am now only replying to that argument which he unnecessarily introduced and which neither I nor he nor you, Sir, objected to. Therefore, Sir, if you will give me two minutes, I shall give a reply to his original suggestion of bringing in socialism. That is not going to help him or anybody else, or the capital levy which Tandonji advocated. I do not say that he has deposed because of that, but it may be one of the reasons.

Dr. SURESH CHANDRA BANERJI: Mr. Speaker, Sir. क्न जानता अह clause এর উপর division আনুব দে সম্বন্ধে দুবেকটি কথা বলতে চাই। Dr. Roy বলেছেন যে, আমাদের confusion of thinking আছে ৷ আমি বলছি আমাদের কোন confusion of thinking লাই, যথনই তাঁর নিজের confusion (f thinking হয় তখন তিনি সেটা আমাদের যাড়ে চাপানোর চেটা করেন। তাঁরা চাচেচন Municipal Service Commissionকে একটা powerful body করতে; তাই যদি হয় তবে Corporationকে appointmentএর জন্য Governmentএর কাছে explanation দিতে হয়। আমি আবারও বলচ্চি এ ব্যাপারে আমাদেব কোন confusion of thinking নাই। নিজেদের লোকজনকে চকাবার জন্যই এই Municipal Service Commission করা হচেছ। আমি বুঝতে পারি না, দটো body করার কি দরকার আছে। এই সোদ্ধা কথাটা বোঝাবার সাধ্য আমাদের নাই। তখনই তিনি বলেন আমাদের confusion of thinking আছে। Government যদি আমাদের কথা মানেন তাহ'লে আমন্ত্রা আর press করব না। আমরা Governmentএর সঙ্গে co-operation করতে চাই। আমরা Governmentকে নানা opportunity দিয়েছি। কিন্তু Government কিছতেই আৰাদের সঙ্গে co-operation করতে চান না। এমন একটা amendment দিচিছ যা নাকি Government ইচছা করনে accept করতে পারেন, কিছ Government তা কিছুতেই করবেন না। তা হলেই তো আমাদের division চাওয়া ছাড়া কোন গড়াম্বর ধাকে না। তিন জন member—the Chairman should be appointed by the Corporation ৰাকী will be appointed by the Government, এই হচেছ মূল প্ৰভাব, এই প্ৰভাবের উপর আমরা division हाइन यनि ७ प्यायता प्यनााना amendment निरंग्नि । किन्छ विहार दाराह प्यायास्य मन opposition আমি পুনবায় বল্ছি আমাদের মত গ্রহণ করা হ'লে আমরা press করব না।

The motion of Dr. Suresh Chandra Banerji that in clause 90(1), line 1, for the words "State Government" the word "Corporation" be substituted was then put and a Division taken with the following result:—

#### AYE8--12.

Abdul Aziz Ansari, Janab Mohamed Bandyopadhyaya, 8j. Pramatha Nath Banerjee, 8j. Sibnath Banerji, Dr. Suresh Chandra Basu, 8j. Hemanta Kumar Basu, 8j. Jyoti Bhandari, 8j. Charu Chandra Chatterjee, 8j. Haripada Choudhury, 8j. Annada Prosad De, 8j. Kanai Lai Ghose, 8j. Bimai Comar Mohammad Rafique, Shaikh

## NOE8-41.

Abdullah, Janab S. M. Banerjee, Sj. Sushil Kumar Barman, The Hon'ble Syama Prasad Bhattacharyya, Sj. Shyamapada Chaudhuri, The Hon'ble Rai Harendra Nath Das, Sj. Radha Nath Dass, Sj. Kanailai Dolui, Sj. Harendra Nath Dutt-Mazumdar, The Hon'ble Niharendu Qanguli, Sj. Bepin Behari Qolam Hamidur Rahman, Janab Gomes, Mr. D.
Gupta, Sl. J. C.
Haidar, Sl. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid
Khuda Bukhsh, Janab Md.
Mahammad Sayeed Mia, Janab
Mahanty, Sl. Charu Chandra
Maiti, The Hon'ble Nikunja Behari
Majumdar, The Hon'ble Bhupati
Mai, Sj. Iswar Chandra
Mailick, Sj. Ashutosh
Mandai, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada

Mudaseir Hessain, Janab
Naskar, The Hon'ble Hem Chandra
Panja, The Hon'ble Jadabendra Nath
Pentony, Mr. L. R.
Pramanik, SJ. Rajani Kanta
Rañuddin Ahmad, The Hon'ble Dr.
Ricketts, Mrs. E. M.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, SJ. Jajneswar
Roy Singh Sarker, SJ. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Walker, Mr. J. R.
Zaman, Janab A. M. A.

The Ayes being 12 and the Noes 41 the motion was lost.

Shaikh MOHAMAD RAFIQUE: Are we adjourning for the prayer now, Sir?

(At this stage the House was adjourned for half an hour.)

(After adjournment.)

The motion of Dr. Suresh Chandra Banerji that in clause 90(1)(a), lines 1 to 3, for the words beginning with "a member" and ending with "to time" the words "nominated by the Corporation" be substituted, was then put and a Division taken with the following result:—

#### AVER\_R

Bandyopadhyaya, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Basu, Sj. Jyoti Bhandari, Sj. Charu Chandra De, Sj. Kanai Lal Ghose, Sj. Bimal Comar

#### NOE8-39.

Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattaoharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Dolul, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Golam Hamidur Rahman, Janab
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand
Kazem All Mirza, Janab Shahibzada
Kawan Jah Salyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahanty, Sj. Charu Chandra
Mali, The Hon'ble Nikunja Behari
Majumdar, The Hon'ble Bhupati

Mai, Sj. Iswar Chandra
Mallick, Sj. Ashutosh
Mandai, Sj. Bankubehari
Mandai, Sj. Umesh Chandra
Misra, Sj. Sowrindra Mohan
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab
Murarka, Sj. Basantial
Naskar, The Hon'ble Jadabendra Nath
Pramanik, Sj. Rajani Kanta
Panja, The Hon'ble Jadabendra Nath
Pramanik, Sj. Rajani Kanta
Rafuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra
Roy, Sj. Jajneswar
Roy Singh Sarker, Sj. Satish Chandra
Sen, The Hon'ble Prafulla Chandra
Shamsul Huq, Janab
Sinha, The Hon'ble Bimal Chandra
Zanan, Janab A. M. A.

The Ayes being 8 and the Noes 39, the motion was lost.

The motion of Sj. Hemanta Kumar Basu that in clause 90(1)(b), line 1, for the word "two" the word "four" be substituted was then put and lost.

The motion of Sj. Jyoti Basu that in clause 90(I)(b), line 1, for the word "one" the word "both" be substituted was then put and lost.

The motion of Sj. Jyoti Basu that in clause 90(1)(b), line 2, the words "State Government and the other by" be omitted was then put and lost.

The motion of Sj. Hemanta Kumar Basu that in clause 90(1)(b), line 2, for the words "the other" the words "three others" be substituted was then put and lost.

. The question that clause 90 do stand part of the Bill was then put and agreed to.

## Clause 91.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 91, lines 1 and 2, the words "other than the Chairman" be omitted.

I further beg to move that in clause 91, line 4, for the words "State Government" the word "Corporation" be substituted.

এই claused আছে Municipal Service Commissions members, Chairman এবং অন্যান্য কর্মচারীদের বাইনে কে দেবে। বেহেডু Chairmanকে Corporation ঠিক করে দেবেন, সেইজনা আবার মতে Chairmandর নাইনেও Corporationdর ঠিক করে দেওমা উচিত। অবশ্য গভর্ণনেও যা বলেছেন Chairman will'be a member of the State Public Service Commission সেটা যদি বেনে নেওয়া হয়, তা'হলে আবার amendmentর কোন মূল্য থাকে না। আর এই যে বলা হয়েছে shall be paid from the Municipal Funda এবন টাকা ত দেওয়া হবে from Municipal Fund, কিছ কত allowances এবং নাইনে দেওয়া হবে সেটা ঠিক করে দেবেন State Government. টাকা দেওয়া হবে Municipal Fund থেকে, কিছ কত করে দেওয়া হবে তা ঠিক করে দেবেন Government—এটা একটা অন্যায় আবদার। কাজেই Municipality যবন টাকা দিচেছ, তবন সেই ঠিক করবে এই সমন্ত তার্লিভেশ এবং কর্মচারীদের কত করে নাইনে দেওয়া উচিত হবে। যদি Government এদের মাইনে ঠিক করতে চান, then Government should pay.

স্থতরাং the word State Government বদলে Corporation বস্তুক, এবং Corporationই ঠিক করে দিক এই সমন্ত মেষবদের কত মাইনে বা allowances দেওয়া হবে।

Shaikh MOHAMAD RAFIQUE: Mr. Speaker, Sir, I agree with Dr. Banerji that the words "other than the Chairman" in this clause should be omitted inasmuch as Dr. Roy, the sponsor of this Bill knows very well that there are very few posts above Rs. 250 in the Corporation which have to be filled up during the course of the year. Members of the House may not know about it, but it is a fact and I speak from personal experience—that there would not be more than 8 to 10 such posts throughout the year which would need the service of this commission and that also if the Corporation employees take into their head to die rapidly during the year, only in that case six or seven posts would fall vacant. Therefore, for these 8 or 10 posts, if we have to pay to these members who will be working with the Chairman of the Municipal Service Commission we will be accused of squandering rate-payers' money. I do not object to the payment of a salary to the Chairman but payment to members—I think will be squandering good money of the rate-payers. I would like to have figures to show how many posts fell vacant during last year. Most of the appointments which are to be made by this Municipal Service Commission—would be made by promotion from lower grades. I remember, Sir, formerly there were only four posts in the senior clerical grade from Rs. 150 to Rs. 250 and no promotion could be given to junior clerks as there were no vacancies during the course of six years. So, I would suggest that to fill up these S or 10 posts during the whole of the year, we should not pay monthly remuneration to these two members of the Municipal Service Commission. As a matter of fact there is no need for a Service Commission. I would request the Hon'ble Chief Minister to agree to this amendment if the clause is carried. That would be, Sir, sheer waste of public money.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with regard to the second amendment of Dr. Suresh Banerji, namely, that the rules should be framed by the Corporation, I am prepared to accept it. Let it be done by the Corporation.

With regard to the first amendment that the words "other than the Chairman" be omitted, probably he has made a mistake, because the Chairman will be a member of the Public Service Commission. But at the present moment with the passing of the previous section Dr. Banerji probably thought that the Chairman also would be a person not necessarily a member of the Public Service Commission. Therefore, the first amendment I oppose but the rules may be prescribed by the Corporation.

In reply to Mr. Rafique the position would be that the amount of salary and allowance to be given would be determined by the Corporation by rules. So if they do not have much work to do they will pay less salary. So I do not think his argument holds good. If there is less work, less money would be paid.

So, I accept the second amendment of Dr. Banerji and oppose the first amendment.

The motion of Dr. Suresh Chandra Banerji that in clause 91, lines 1 and 2, the words "other than the Chairman" be omitted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 91, line 4, for the words "State Government" the word "Corporation" be substituted, was then put and agreed to.

The question that clause 91, as amended, do stand part of the Bill was then put and agreed to.

## Clause 92.

The motion that clause 92 do stand part of the Bill was then put and agreed to.

## Clause 93.

- **Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 93(I), lines 4 to 9, for the words beginning with "State Public" and ending with "Regulations" the words "Municipal Service Commission frame regulations for Municipal Officers and servants with a maximum salary not exceeding one thousand five hundred rupees per month" be substituted.
- 8j. BIMAL COMAR CHOSE: Sir, I beg to move that in clause 93(1), lines 5 to 9, the words beginning with "in the case of" and ending with "officers and servants" be omitted.

Shaikh MOHAMAD RAFIQUE: Sir, I beg to move that to clause 93(3) the following further proviso be added, namely:—

"Provided that the Corporation or the Commissioner shall pay the provident fund and the gratuity, if any, to the employees of the Corporation who have retired from the service of the Corporation within a period of three months from the date of such retirement."

8]. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 93(1) after the proviso the following further proviso be added, namely:—

"Provided further that in framing regulations as aforesaid, express provision shall be made so as to ensure that any money payable to a municipal officer or servant upon his retirement from any provident fund or annuity fund or as gratuity shall be paid to him within six months of such retirement."

Dr. SURESH CHANDRA BANERJI: মাননীয় স্পীকার মহোদয়, এই clause 93য় উদ্দেশ্য হচেছ যে. Corporationএর যে সমন্ত officer আছে, তাদের fixing the amount and nature of security, regulating the grant of leave, leave allowance and acting allowance. regulating the grant of pension, bonus and gratuities, etc., অনেক আছে: এই সৰ সৰুদ্ধে regulationকে করবে? এই সমন্ত employeesদের service conditionএর নিয়ম কে করবে? claused বলা হচেছ. State Public Service Commissionএর recommendationএ যে সমস্ত officer নিযক্ত হবে তাদের চাকরী শহছে regulation করবে the Standing Finance Committee in consultation with the Public Service Commission. जात्र Municipal Service Commission 43 recomendation এ যারা নিয়ক্ত হবে, তাদের চাকরী সমত্তে নিয়ম তৈরী করবে the Standing Pinance Committee in consultation with Municipal Service Commission. কথা হচেছ এই। কিছ আমরা আগাগোড়াই বলে আগছি যে State Public Service Commission কোন লোককে recommendation कक्रक. এটা আমরা পছল কবিনি। याक् এটা পাদ হয়ে গিয়েছে। এখন কথা হচেছ State Public Service Commissionএৰ recommendation অনুসাৱে যদি কোন employee Corporation খাৰা employed হয় তাহলে তার চাকবী শহমে State Public Service Commissionএৰ কোন কিছ বলবাৰ অধিকার পাকা উচিত নয়। সেই অধিকাৰ either Corporationএৰ পাকা উচিত কিয়া Corporation কৰ্ত্তক নিয়ক্ত Municipal Service Commissionএর পাকা উচিত। কিন্তু যথন State Public Service Commissionএর recommendationএব হারা সে নিযক্ত হল তথন তার সহজে যে regulation কর হ'ল in consultation with the Standing Finance Committee সেটা আবাৰ State Public Service Commissionকে জিজালা করবে কেন ? এটা একেবারে অবাস্তর। এটার এখানে আলা উচিত নয়। এই সমন্ত চাকরী সমকে নিয়ম করবেন Standing Finance Committee in consultation with the State Public Service Commission,—এই ব্যাপারটা সম্পূর্ণ অবান্তর। তাই আমার amendment অতান্ত সরল, এইটা Governmentএর মেনে সেওরা উচিত।

জানাদের চেঁচানেচির ফলেই আজ ডা: রায় Corporationএর সব কিছু ক্ষমতা Corporationএরই হওয়া উচিত, এই যে elementary principle এইটে গ্রহণ করে যা তিনি দিলেন, সেটা যদিও ছিটেকোঁটা মাত্র তবু সেজন্য তাঁকে আমরা অশেষ ধন্যবাদ দিচিছ। তা: রায় কর্পোরেশনকে কোন ক্ষমতাই দিতে চান না, সেইজন্য ছিটে-ফোঁটাতেও তাঁকে ধন্যবাদ দিচিছ।

Shaikh MOHAMMAD RAFIQUE: Sir, I tind that the Government has accepted my amendment in substance, and has increased the period from three to six months. So I beg leave of the House to withdraw my amendment.

The motion of Shaikh Mohammad Rafique that to clause 93(3) the following further proviso be added, namely:—

"Provided that the Corporation or the Commissioner shall pay the provident fund and the gratuity, if any, to the employees of the Corporation who have retired from the service of the Corporation within a period of three months from the date of such retirement".

was then by leave of the House withdrawn.

The motion of Dr. Suresh Chandra Banerji that in clause 93(1) lines 4 to 9, for the words beginning with "State Public" and ending with "regulation" the words "Municipal Service Commission frame regulations for Municipal Officers and servants with a maximum salary not exceeding one thousand five hundred rupees per month" be substituted was then put and lost.

The motion of Sj. Bimal Comat Ghose that in clause 93(1), lines 5 to 9, the words beginning with "in the case of" and ending with "officers and servants" be omitted was then put and lost.

'The motion of Sj. Sushil Kumar Banerjee that in clause 93(1) after the proviso the following further proviso be added, namely:—

"Provided further that in framing regulations as aforesaid, express provision shall be made so as to ensure that any money payable to a municipal officer or servant upon his retirement from any provident fund or annuity fund or as gratuity shall be paid to him within six months of such retirement."

was then put and agreed to.

The question that clause 93 as amended do stand part of the Bill was then put and agreed to.

## Clause 94.

- Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 94(I), lines 6 to 9, for the words beginning with "State Public" and ending with "other cases" the words "Municipal Service Commission" be substituted.
- I further beg to move that in clause 94(2)(iii), line 1, for the words "State Government" the word "Corporation" be substituted.
- I further beg to move that in clause 94(2)(iv), line 2, for the words "State Government" the word "Corporation" be substituted.
- I further beg to move that in clause 94(2)(iv), line 4, for the words "State Government" the word "Corporation" be substituted.
- **8J. BIMAL COMAR GHOSE:** Sir, I beg to move that clause 94(2) (iii) be omitted.
  - I further beg to move that clause 94(2)(iv) be omitted.
- **3]. SUBHIL KUMAR BANERJEE:** Sir, I beg to move that before the existing provise to sub-clause (1) of clause 94, the following provise be inserted, namely:—
  - "Provided that in applying this sub-section in relation to the question of any municipal officer or servant being habitually in heavy debt, any debt owed by him to a co-operative society or a body corporate constituted or established by or under an Act of a Legislature, shall not be taken into consideration."
- I further beg to move that in the existing proviso to sub-clause (1) of clause 94, in line 1, for the words "Provided that" the words "Provided further that" be substituted.
- **8j. BIMAL GOMAR GHOSE:** Clause 94(2)(iii) has reference first to clause 94(2)(i). Clause 94(2)(i) states that "Any municipal officer or servant who, after the commencement of this Act, is convicted of an offence against the State or sentenced either to rigorous imprisonment for any term

or to simple imprisonment for a term of six months or more shall be deemed to be dismissed from service with effect from the date of his conviction and his office shall become vacant from such date."

Now, Sir, in 94(2)(iii) certain authority is given in regard to this provision to the State Government. It says that "the State Government may of its own motion or on receipt of an application from the person concerned by an order in writing exempt any person from the operation of clause (i) in respect of a conviction specified in such order and thereupon such person shall be deemed to have been suspended and not dismissed from service, from date of his conviction until the date of such order."

Now, Sir, what I cannot understand is this namely, if a municipal officer has been convicted of an offence against the State or has been sentenced to rigorous imprisonment or simple imprisonment for six months for such offence, why should it be necessary for the State Government to retain certain power with them so that such an offence could be condoned by them? Why should at all any occasion arise for condoning such offences and why should any power be taken over by the State Government for this purpose? I feel therefore, Sir, that this authority should not be given to the State Government because the question, so far as I can see, should not at all arise of condoning any of these offences. The other amendment is consequential. If this is accepted then of course the question of an application for exemption does not arise; so that if this amendment is accepted then the other has also to be accepted because that is consequential. You will also see that in clause 94(2)(iii) in condoning such offences the initiative may be taken by the State Government. I do not understand that either, Sir. If a person has been convicted my first proposition is that no mercy should be shown to him, and if anything at all were to be done it stands to reason that the person himself should apply for any mercy to be shown to him. But in the provision as it stands it appears that the State Government on its own motion may also condone such offences. I do not understand, Sir, why there should be this softness and why the State Government should have the power of condoning such offences not merely on the application of the person concerned but of its own motion. Therefore that is my first proposition. I feel, Sir, secondly that if the Government do not accept this very reasonable proposition of mine then our second standpoint is that if there should be any power of this nature at all, then that power should vest in the Corporation and not in the State Government because that is the standpoint that we have always taken in regard to this Bill.

The motion of Dr. Suresh Chandra Banerji that in clause 94(1), lines 6 to 9, for the words beginning with "State Public" and ending with "other cases" the words "Municipal Service Commission" be substituted was then put and lost.

The motion of Sj. Bimal Comar Ghose that clause 94(2)(iii) be omitted was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 94(2)(iii), line 1, for the words "State Government" the word "Corporation" be substituted was then put and lost.

The motion of Sj. Bimal Comar Ghose that clause 94(2)(iv) be omitted was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 94(2)(iv), line 2, for the words "State Government" the word "Corporation" be substituted was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 94(2)(iv), line 4, for the words "State Government" the word "Corporation" be substituted was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that before the existing proviso to sub-clause (1) of clause 94, the following proviso be inserted, namely:—

"Provided that in applying this sub-section in relation to the question of any municipal officer or servant being habitually in heavy debt, any debt owed by him to a co-operative society or a body corporate constituted or established by or under an Act of a Legislature, shall not be taken into consideration,"

was then put and agreed to.

The motion of Sj. Sushil Kumar Banerjee that in the existing proviso to sub-clause (1) of clause 94, in line 1, for the words, "Provided that" the words "Provided further that" be substituted was then put and agreed to.

The question that clause 94 as amended do stand part of the Bill was then put and agreed to.

## Clause 95.

8j. BIMAL COMAR CHOSE: I beg to move that proviso (d) to clause 95 be omitted.

Proviso (d) says that in the case of a municipal officer or servant appointed by the Corporation on the recommendation of the State Public Service Commission, an appeal shall lie to the State Government, and my amendment seeks to substitute "State Government" by "Corporation" and my argument is that since the appointment is to be made by the Corporation, if anything further has to be done, that should also be done by the Corporation and not by the State Government. As the Chief Minister in a similar case has accepted such an amendment he would I hope, also appreciate the reasonableness of accepting this amendment because the appointing authority is the Corporation and so if anything has to be done about these matters in regard to officers appointed by the Corporation the appeal should logically also lie to the Corporation.

The motion was put and lost.

The question that clause 95 do stand part of the Bill was then put and agreed to.

Clauses 96 to 117 [except clauses] 104, 106 and 107 omitted by the Select Commuttee.

Mr. SPEAKER: I shall put all the clauses en bloc and if you desire to oppose any particular clause I will put that particular clause separately. Otherwise if you do not desire to oppose the putting of any clause there is no use wasting my breath and wasting your time by putting each clause separately. As no member has expressed any desire to oppose any clause I take it that there is no objection and I will put clauses 96 to 117 en bloc.

Shaikh MOHAMAD RAFIQUE: Unless you read the clauses, Sir, how can we know what you are putting to vote and in that case a precedent will be created that henceforth you may take the whole Bill and put it to vote.

Mr. SPEAKER: If anybody desires to oppose any particular clause I shall put that clause separately. Otherwise, I will put the clauses en bloc. Well, I take it that no particular clause is intended to be taken up separately. (Pause.)

The question that clauses 96-117 except clauses 104, 106 and 107 do stand part of the Bill was then put and agreed to.

## Clause 118.

8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that in clause 118, line 2, for the word "fifty", the word "ten" be substituted.

I beg also to move that in the proviso to clause 118, line 1, for the word "five" the word "three" be substituted.

I beg further to move that in the proviso to clause 118, line 2, for the word "fifty" the word "ten" be substituted.

১১৮ নম্বর clauseটা estimate sanction সম্বন্ধ। এখানে দেখা যাচেছ্ estimate sanction Corporationও করতে পারবে, Commissionerও করতে পারবেন। এখন পুশু হচেছ্ Commissionএর হাতে কন্তদুর পর্যন্ত ক্ষরতা রাখা উচিত এই estimate sanctionএর বাপোরে। যদি principleএর question তোলা যায় তাহলে আমি বলবো সবটাই Corporationএর হাতে থাকা উচিত। তবে যদি ছোট কান্ধ্রু যা, unimportant কান্ধ্রু হয়, তবে কিছু ক্ষমতা Commissionerএর হাতে রাখা যেতে পারে। তারপরে ১১৮ নম্বর clauseএ যা বলা হয়েছে "The Commissioner may sanction any estimate the amount of which does not exceed fifty thousand rupees. অর্থাৎ ৫০,০০০ টাকা পর্যন্ত Corporationএর কাছে যাবে না। এটা big amount বলে মনে হয়। স্থতরাং আমার প্রন্থাব হচেছ্ ১০ হাজার টাকা পর্যন্ত যে কান্ধ্রু হবে তার sanction Commissioner করতে পারেন, এবং তার উপরে যা হবে তা কর্পোরেশনের কাছে যাওয়া উচিত। যদি এই ব্যবস্থাই হয় যে, ৫০ হাজার পর্যন্ত Corporationএর কাছে যাবে না তাহ'লে খুব কম per cent. কান্ধ্র Corporationএর হাতে থাকবে। তার মানে অধিকাংশ কান্ধ্র প্রন্থাব মেনে নিতে পারেন।

8j. HEMANTA KUMAR BASU: স্যার, চারুবাবুর এই পুস্তাব সঞ্চত ব'লে মনে করি। এত বড় মোটা অংশ কমিশনারের হাতে রাবা উচিত নয়। Standing Finance Committee রমেছে; অতএব চার হাজারের উপর হ'লে Standing Finance Committeeর কোনরকম অস্ক্রিধা হবে না।

Shaikh MOHAMAD RAFIQUE: Sir, I think this clause has been misunderstood by many of the members. In the Calcutta Corporation whenever any work had to be done it used to be put before the proper Standing Committee to determine whether that particular work was necessary or not. For instance the question whether, the asphalting of Chowringhee Road is necessary or not must first be considered by the Work Standing Committee. In the event of approval by the committee estimates are called for by the Department and these estimates are placed before the Standing Committee. In case where the estimates amount to figure over ten thousand members of the Corporation go into the matter and accord final approval. Before the item goes to the Corporation it is placed before the Finance Committee and it is the duty of the Finance Committee to see if there was budget provision for the work and if the finances of the Corporation could bear the burden of that amount within that particular year. After the Finance Committee approved it it would go to the Corporation for its final approval. In the past the Chief Executive Officer had power to sanction up to Rs. 5,000 without the approval or sanction of the Finance Committee or the Corporation. Now the Commissioner is being given the power to sanction an estimate up to Rs. 50,000.

The Hen'ble Dr. BIDHAN CHANDRA ROY: No, no.

Bhaikh MOHAMAD RAFIQUE: ...and if it exceeds Rs. 5,000 the sanction of the Finance Committee is required Sir, the Finance Committee goes only into the question whether it can spare Rs. 50,000 out of the finances of the Corporation: The Finance Committee would never go into the question whether the work is necessary or not. That is the work of the Corporation or of the Work Standing Committee of the Corporation to find out whether the work should be done or not, and how it should be done and in what period of time it should be done. In the present clause there is no provision to safeguard the spending of that money or to check whether that work is necessary or not. So I think too wide powers are being given to the Commissioner who can by a stroke of his pen order that Rs. 50,000 is to be spent for some work and invite tenders and then the Finance Committee will be asked if that money can be spared by the Corporation out of its finances. It is not the business of the Finance Committee to see whether this work is necessary or whether this work should have precedence over other works. Sir, I do not see why this wide power should be given to the Commissioner to spend this big amount and why there should not be another check on the spending of this amount by sending the item to Work Standing Committee of the Corporation. I think it should pass through a proper stage to see whether the estimate that is going to be sanctioned by the Finance Committee is necessary or not.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I am sorry Mr. Rafique has been absolutely misled. The estimate is only called for after the preliminaries have been done, the policy has been decided, the work has been decided upon, etc., etc. Then the question of estimate sanction for the purpose of carrying on the work is all that is necessary. This section says, at the end when it is to be given to a contractor for doing the work, if the estimate is over Rs. 50,000 he has got to go to the Standing Finance Committee; if it is less than Rs. 50,000 he can sanction it, that is, exactly as it is. Therefore, I do not think there is any change made except that the language is slightly different.

The motion of Sj. Charu Chandra Bhandari that in clause 118, line 2, for the word "fifty" the word "ten" be substituted, was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in the proviso to clause 118, line 1, for the word "five" the word "three" be substituted, was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in the proviso to clause 118, line 2, for the word "fifty" the word "ten" be substituted, was then put and lost.

The question that clause 118 do stand part of the Bill was then put and agreed to.

## Clause 119.

- **8J. CHARU CHANDRA BHANDARI:** I beg to move that in clause 119(I), line 3, for the word "fifty" the word "ten" be substituted.
- **8J. BIMAL COMAR GHOSE:** I beg to move that clause 119(2) be omitted.
- I will just say one word about the clause and that is on principle only. The Government should have no power of rejecting any project which the Corporation may consider necessary even if it is above 5 lakhs of rupees. It is a question of principle and as the Government have accepted the principle they should also accept my amendment.

8]. SHARU CHANDRA BHANDARI: Mr. Speaker, Sir, আৰি বলুছে চাই estimate দুই রক্ষেই হতে পারে। একটা হতে পারে কোন কান্ধ Corporation sanction করার পুরেই কত ব্যৱহ হতে পারে তা নোটামুটি পেখা উচিং। আর একটা হচেছ কোন কান্ধ sanction হবার পরে executionএর সময় সেটা দেখা বেতে পারে। তারপর আরেকটা ব্যাপার হচেছ rate নির্ধারণ করে দেওরা মুছিন, কারণ বব জিনিমের standardised rate হয় না। যাক, আনার বন্ধনা হচেছ এই সব ব্যাপারে "Corporation should be the authority". আনার বন্ডটকু বারণা, আনি অবশ্য Corporation সম্বছে বিশেষ কিছু জানিনা, তবুও এইটে বলুডে চাই যে এই ৫০ হাজার টাকা more than half এইটা Commissionerরের হাতে ধাকা উচিৎ নর; এটা ধাকলে একটা সাংবাতিক ক্ষরতা তাঁর হাতে দেওয়া হবে। যদি এবন হত বে কান্ধ sanction হওয়ার পুর্বেই, সেই কান্ধটা Corporation গুহণ করবে কি না করবে তা ঠিক করতো, তাহলেও হ'ত। কিছু কান্ধ sanction হওয়ার পুর্বেই তার estimate করবেন Commissioner; এই জিনিমটা করা সংঘাতিক ব্যাপার। এই ক্ষরতাটা Commissionerরের হাত থেকে নিয়ে Corporationএর হাতে দেওয়া উচিং। কোন final estimate হওয়ার আগেই কান্ধ execution করার ক্ষরতা, ৫০ হাজার টাকা পর্যন্ত, Commissionerএর হাতে দেওয়া কোন রক্ষেই উচিং হবে না। এই বলে আমি Governmentকে অনুরোধ করছি, তাঁরা যেন আনার amendmentটা গহণ কিলে।

The motion of Sj. Charu Chandra Bhandari that in clause 119(1), line 3, for the word "fifty" the word "ten" be substituted, was then put and lost.

The motion of Sj. Bimal Comar Ghose that clause 119(2) be omitted was then put and lost.

The question that clause 119 do stand part of the Bill was then put and agreed to.

#### Clause 120.

- **8j.** KANAI LAL DE: Sir, I beg to move that in clause 120(1)(c), line 1, for the word "five" the word "one" be substituted.
- I further beg to move that in clause 120(1)(c), line 2, for the word "fifty" the word "five" be substituted.
- I further beg to move that in clause 120(1)(d), line 1, for the word "fifty" the word "five" be substituted.
- **8j.** CHARU CHANDRA BHANDARI: Sir, I beg to move that in clause 120(I)(c), line 1, for the word "five" the word "three" be substituted.
- I further beg to move that in clause 120(1)(c), line 2, for the word "fifty" the word "ten" be substituted.
- I further beg to move that in clause 120(1)(d), line 1, for the word "fifty" the word "ten" be substituted.
- 8j. KANAI LAL DE: সভাপাল মহাশন্ন, পূর্ব্বেকার claused বে policy বা নীতি থেকে আপন্তি করা হরেছে, সেই নীতিই অনুসরণ করে আমার এই সংশোধনী পুরাবগুলি দেওয়া হরেছে।

Commissionerএর হাতে কেন এত বেশী ক্ষমতা দিচেছন। তাঁকে ৫০ হাজার টাকা পর্যার contract ও estimate বছুর করবার ভার দেওরা হচেছ। Commissioner বদি জাত বা অজ্ঞাতসারে কোন ভুল বা দোঘক্রটি করেন, তাহলে rate-payersদের তার বিরুদ্ধে কিছু বলবারও থাকবে না। কিছু Corporation-এর হাতে বদি ক্ষমতা থাকত তাহলে এই রক্ষম একটা ব্যাপার হ'ত না। এই ৫০ হাজার টাকার ব্যাপার কর নর, এবং এটা বাত্র একজন লোকের উপর ভার দেওরা হরেছে। আবার বতে এই ভার Corporation bodyর উপর দেওরা উচিং ছিল। এবং তা করকে এই ক্ষমতা অপবাবহার হওরার সভাবনা কম হ'ত। Commissioner

বাঁকে এত উচচ বেতনে নিযুক্ত করা হচেচ তাঁকে বলা যেতে পাল্লে Governor of Calcusta. স্থার কারণ, এই বিলের মধ্যে তাঁকে এত ক্ষতা দিচ্ছেন, যেখন Governor of West Bengal আছেন তেমনি, শ্বতরাং তাঁকে Governor of Calcutta বলা যেতে পারে। পঞ্চান হাজার টাকার contract তাঁর হাত দিয়ে বিলি করবার দারছি দিচেছন। এই রক্ষ contract sanction করবার তার সম্পূর্ণতাবে তার উপর ন্যন্ত করা অত্যন্ত অন্যায় হবে। তিনি তুল বা অন্যায় করলে করদাতার পক্ষে নারারক হবে। শ্বতরাং আমার মতে এই ৫০ হাজার টাকা করিয়ে ও হাজার টাকা করা হোক। এবং যেখানে ও হাজার টাকা আছে, সেখানে এক হাজার টাকা করা হোক। কারণ জনসাধারণের অর্থ এই রক্ষতাবে একজনের বিবেচনার উপর রাখা উচিৎ নয়। এটা গণতয়বিরোধী এবং খুব মারারক হবে। যদি তিনি অবিবেচক হন বা স্বার্থপর হন তাহলে, এটা দেশের লোকের পক্ষে অত্যন্ত ক্ষতিকর হবে, এবং কলিকাতা সহরের উনুতির পধ্যে অন্তরায় হবে। এই বলে আমি আমার পত্যাব পেশ করছি।

The motion of Sj. Kanai Lal De that in clause 120(1)(c), line 1, for the word "five" the word "one" be substituted was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in clause 120(1)(c), line 1, for the word "five" the word "three" be substituted was then put and lost.

The motion of Sj. Kanai Lal De that in clause 120(1)(c), line 2, for the word "fifty" the word "five" be substituted was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in clause 120(I)(c), line 2, for the word "fifty" the word "ten" be substituted was then put and lost.

The motion of Sj. Charu Chandra Bhandari that in clause 120(1)(d), line 1, for the word "fifty" the word "ten" be substituted was then put and lost.

The motion of Sj. Kanai Lal De that in clause 120(1)(d), line 1, for the word "fifty" the word "five" be substituted was then put and lost.

The question that clause 120 do stand part of the Bill was then put and agreed to.

#### Clause 121.

The question that clause 121 do stand part of the Bill was then put and agreed to.

## Clause 122.

**8j. CHARU CHANDRA BHANDARI:** Sir, I beg to move that the proviso to clause 122(1) be omitted.

এই provisors এই বিধান আছে যে Corporation কোন কোন কোনে ইচছা করনে State Governmentএর অনুমতি নিমে কোন contractএর tender ডাকতে বা invite করতে পারেন;—এই ক্ষমতা Corporationকেও দেওনা উচিৎ নয়। কারণ আজকান যে রকম দিন কাল তাতে বিনা tendera কোন contract execute করবার ক্ষমতা কার থাকা উচিৎ নয়। আমার এই amendmentটা গ্রহণ করা উচিৎ। কারণ এটা ত Commissionerএর পুশু নয় এটা Corporationএর পুশু। অতএব Governmentএর পক্ষে এটা গ্রহণ করতে কোন আপত্তি করা উচিৎ নয়। এখানে Corporationএর ক্ষমতা নই করা হচেছ। কারণ without tender কোন কাজ কর্মী উচিৎ নয়। স্কুতরাং Government যেন আমার এই amendmentটা বেনে নেন।

The motion of Sj. Charu Chandra Bhandari that the proviso to clause 122(1) be omitted was then put and lost.

The question that clause 122 do stand part of the Bill was then put and agreed to.

## Clauses 123 to 127.

The question that clauses 123 to 127 do stand part of the Bill was then put and agreed to.

#### Clause 128.

- **8j. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that in subclause (I)(b) of clause 128, in line 3, for the word "person" the word "persons" be substituted.
- **Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 128(I)(b), lines 4 and 5, the words "Commissioner and approved by the" be omitted.
- Sir, I further beg to move that in clause 128(I)(c), lines 3 and 4, the words "Commissioner and approved by the" he omitted.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I accept both the amendments of Dr. Banerji.

Dr. SURESH CHANDRA BANERJI: I thank the Government for that.

The motion of Sj. Sushil Kumar Banerjee that in sub-clause (1)(b) of clause 128, in line 3, for the word "person" the word "persons" be substituted was then put and agreed to.

The motion of Dr. Suresh Chandra Banerji that in clause 128(1)(b), lines 4 and 5, the words "Commissioner and approved by the" be omitted was then put and agreed to.

The motion of Dr. Suresh Chandra Banerji that in clause 128(1)(c), lines 3 and 4, the words "Commissioner and approved by the" be omitted was then put and agreed to.

The question that clause 128, as amended, do stand part of the Bill was then put and agreed to.

## Clauses 129 to 134.

The question that clauses 129 to 134 do stand part of the Bill was then put and agreed to.

## Clause 135.

- **8j. BIMAL COMAR CHOSE:** Sir, I beg to move that the following proviso be added to clause 135 (2), namely:—
  - "Provided that where such deposit or investment had been made subject to the approval of the State Government, the loss, if any, shall be recovered from the State Government."

Sir, the Clause reads like this: "Surplus moneys at the credit of the Municipal Fund, which cannot immediately or at an early date be applied to the purposes of this Act, may from time to time be deposited at interest or placed in current account in the Imperial Bank of India, or in any other bank or banks in Calcutta which may be approved by the State Government or invested in any of the securities or debentures mentioned in section 156." What I suggest is this if moneys are placed in banks which have to be

approved by the State Government, and if thereafter any loss should ensue to the Corporation, then the Corporation should not be saddled with such loss, because the moneys were placed with the approval of the State Government. Let the Corporation place the money with any bank they like and then the Government will not be responsible but if the moneys are to be deposited with the banks which the State Government will have to approve then the responsibility should also be of the State Government's. Government might have said that the Reserve Bank's approval would be necessary. That I can understand, because the State Government here is not a financial expert, and their approval has no significance. If the Reserve Bank approves a particular bank, then that will have some significance, because the Reserve Bank is in a position probably to approve the soundness of a certain bank or other, but what knowledge has the State Government to say whether a particular bank is sound or not. If the State Government at all insist that the bank shall be approved by them and thereafter if any loss be still sustained by the Corporation, then the State Government should take the responsibility inasmuch as they had approved the bank and therefore they should be made liable, and I think that is very reasonable. If the State Government do not want to take the responsibility, let them give the responsibility, the whole of it, to the Corporation. Because then the State Government would say you invest your money in any way you like and if any loss is incurred, that is your look out. But if the State Government should intervene in the matter and say you must put your money in A, B or C Bank and then if the Corporation suffers loss why should not the State Government be made liable for the loss?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I do not think that Sj. Bimal Comar Ghose is really serious about this, and I feel that he must have a very weak case. Government will pay and the Corporation will go scot-free! I oppose the amendment.

The motion of Sj. Bimal Comar Ghose that the following proviso be added to clause 135(2), namely:—

"Provided that where such deposit or investment had been made subject to the approval of the State Government, the loss, if any, shall be recovered from the State Government" was then put and lost.

The question that clause 135 do stand part of the Bill was then put and agreed to.

#### Clauses 136 to 163.

The question that clauses 136 to 163 do stand part of the Bill was then put and agreed to.

#### Clause 164.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 164, lines 1 and 2, for the words beginning with "Subject to" and ending with "behalf", the word "The" be substituted.

Sir, এই claused বলা হবেছে বে accounts of receipts and expenditure of Corporation বা নাৰা হবে, সেটা rule কৰে দেবেল State Government, অৰ্থাৎ তাদের আবব্যবের হিলাব কি করে নাৰ্থতে হবে, তার ruleও State গভর্গবেণ্টই করবেন। কর্পোরেশন এডই নাৰালক বে সে তার নিজের কোন হিলাবপত্র নিজে বাণ্তে পারবে না। দুনিরার সকলেই নাৰালক একমাত্র এই State Governmentই সাবালক—Dr. Roy বোৰ করি এইক্সেই তেবে থাকেন। এটা অভ্যন্ত অন্যার কথা। গভর্গবেণ্ট ববি এই তেবে

ৰাকেন কে Corporation তাৰ নিজেৰ হিদাবপত্ৰও ৱাৰতে পাৰ্যৰে না সে এতই অকৰ্মণ্য-অপদাৰ্থ, তাহলে এবকন বিল মা এনে democracy নাম না নিমে Governmentsৰাই একটা departments এটাকে খোলাখুলি পৰিণত কৰা উচিত ছিল।

8j. HEMANTA KUMAR BA8U: দেখা বাচেছ Corporationএর উপর executive control Government পুরাপুরি তার হাতে রেখেছেন। আল বেসব clause পাশ হতে চনেছে, তাতে দেখা বার financial controlও উরোই রাখতে চান। আবি কাল বলেছিলেন যে বর্ডবান সরকার বনে করেন যে যদি তারা এসব ক্ষমতা হাতে না রাখেন, তাহলে ক্লমতার লোকদের হাতে রাখতে পারবেন না। তাঁরা জানেন, যে ক্লমতার উপর তাঁদের দলের লোক পাবেন না সেজনা মকঃখন থেকে বহু লোক যে আগবে, তাদের হতের পুতুল হিসাবে দাঁড় করিয়ে কলকাতা Corporationএর উপর আধিপতা বিস্তার কর্বেন এবং নেজনা শুধু executive নর financial control তারা হাতে রাখ্তে চাইছেন। কিন্তু আদি বলতে চাই এই বিল ক্লমতাবানীরা সহ্য করবে না।

The motion of Dr. Suresh Chandra Banerji that in clause 164, lines 1 and 2, for the words beginning with "Subject to" and ending with "behalf," the word "The" be substituted, was then put and a Division taken with the following result:—

#### AYES-6.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Hemanta Kumar Bhandari, Sj. Charu Chandra Chatterjee, Sj. Haripada De, Sj. Kanai Lai

#### NOE8-40.

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Barman, The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chaudhuri, The Hon'ble Rai Harendra
Nath
Dass, Sj. Radha Nath
Dass, Sj. Kamalial
Dolui, Sj. Harendra Nath
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Golam Hamidur Rahman, Janab
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Sayeed Mila, Janab
Mahammad Sayeed Mila, Janab

Maiti, The Hon'ble Nikunja Behari Majhi, Sj. Nishapati Mai, Sj.—iswar Chandra Mailiok, Sj. Ashutosh Mandal, Sj. Bankubehari Mandal, Sj. Bunkubehari Mandal, Sj. Umesh Chandra Misra, Sj. Sowrindra Mohan Mohammad Hossain, Dr. Mookerji, The Hon'ble Kalipada Mudassir Hossain, Janab Murarka, Sj. Basantial Naskar, The Hon'ble Jadabendra Nath Pramanik, Sj. Rajani Kanta Rafuddin Ahmed, The Hon'ble Dr. Roy, The Hon'ble Dr. Bidhan Chandra Roy, Sj. Jajneswar Roy Bingh Sarker, Sj. Satish Chandra Sen, The Hon'ble Prafulia Chandra Shamsul Huq, Janab Zaman, Janab A. M. A.

The Ayes being 6 and the Noes 40, the motion was lost.

The question that clause 164 do stand part of the Bill was then put and agreed to.

## Adjournment,

The House was then adjourned at 7-14 p.m. till 3 p.m. on Tuesday, the 30th October, 1951, at the Assembly House, Calcutta.

[30тн Ост.,

# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 30th October, 1951, at 3 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 12 Hon'ble Ministers and 57 members.

## STARRED QUESTIONS

(to which oral answers were given)

## Distress of the people of Sundarbans due to flood

- \*47. (SHORT NOTICE.) SJ. HEMANTA KUMAR BASU: Will the Hon'ble Minister in charge of the Co-operation, Credit, Relief and Rehabilitation Department be pleased to state—
  - (ক) তিনি জানেন কি গত আখিনে ক্রম্ববনের চাষীদের বহু ঘর বল্লায় ভালিয়া গিয়াছে :
  - (খ) যদি তাহা হইরা থাকে, তবে ভাঙ্গিরা-যাওয়া ঘরের সংখ্যা কড় এবং গৃহহীনের সংখ্যাকত:
  - (গ) ঐ সমন্ত গৃহ্ছীন বাজিদের সাহায়োর জন্ত সরকার কোন ব্যবস্থা করিয়াভিলেন কি না ;
  - (খ) যদি করিয়া থাকেন, ভবে উচার পরিমাণ কভ এবং কভ লোক উক্ত সাহায্য পাইয়াছে ;
  - (৬) ছিনি এমন কোন অভিযোগ পাইয়াছিলেন কি না যে, যাহাদের হুর ভাঙ্গে নাই ঐক্লপ অনেকেই উক্ত দাহায্য পাইরাছিল এবং যাণাদের হুর ভাঙ্গিরছে ভাহাদের অনেকেই পার নাই:
  - (5) ঐরণ অভিযোগ পাইয়া থাকিলে তিনি ঐ অভিযোগ দহছে অস্থ্যন্তান করিতে নিজে গিয়াছিলেন কি না:
  - (ছ) এই অভিযোগের সত্যতা সমঙ্কে অনুস্থান করিয়া পুনরার সাহায়া মঞ্র করিরাছিলেন কিনা:
  - (জ) ডিনি জানেন কি উক্ত শাহাযা প্রকৃত ছুঃত্ব অভিযোগকারীরা পায় নাই; এবং
  - (ঝ) যদি তাহা শত্য হয়, তবে কেন পায় নাই; ইহার জন্ত দায়ী কে; দায়ী ব্যক্তিকে শান্তি দেওয়া হইবে কি না; আহু একুড ছঃছ্দের পুনরায় সাহায্য দেওয়া হইবে কি নাঃ

MINISTER in charge of the CO-OPERATION, CREDIT, RELIEF and REHABILITATION DEPARTMENT (the Hon'ble Dr. Raffuddin Ahmed): (4) 44 (4)  $\frac{1}{2}$ 

(ধ) অনুমান ২,০০০এর অধিক। গৃহহানের সংখ্যার তথ্য মহাকরণ দপুরখানায় নাই।

- বি) ১৫,000 টাকাৰ ৭,0১৭ পরিবার I
- (ঙ) না !
- (5) ছইতে (ঝ) উঠে না।
- 'SJ. HEMANTA KUMAR BASU: মাননীর মরীবহাণর বলবেন কি কিম্বন্য তিনি তুল্কানি গিয়াছিলেন ? এই রকম কোন অভিযোগ পেয়ে না নিবিল ক্স রিলিফ কমিটির আহ্বানে গিয়েছিলেন ?

The Hon'ble Dr. RAFIUDDIN AHMED: আৰি গিয়েছিলান, কিন্ত এই রক্ষ কোন অভিযোগ পেয়ে যাইনি।

8j. HEMANTA KUMAR BASU: মাননীয় মন্ত্ৰীমহাশয় জানেন কি বন্যায় যাদের হর তেকেছিল তারা কোন রকম সাহায্য Government থেকে পায়নি, যাদের হর তাক্ষেনি তারাই সাহায্য পেয়েছিল এই রকম কোন অভিযোগ আপনি পেয়েছিলেন কি ?

The Hon'ble Dr. RAFIUDDIN AHMED: অনেক অভিযোগ পেয়েছি, কিঙ অনুসদ্ধান করে দেখা গিয়েছে যে সমস্ত টাকা দেওয়া হয়েছিল তা ঠিকমতই বিতরণ করা হয়েছিল।

Sj. CHARU CHANDRA BHANDARI: মাননীয় মন্ত্রীমহাণয় (৬)তে "না" বলেছেন তিনি না জানতে পারেন, কিন্তু শেখানকার ভারপ্রাপ্ত কর্মচারী Circle Officer এই রকম কোন অভিযোগ পেয়েছিলেন কিন্তু কাকরীপ থানার এলেকায় ?

The Hon'ble Dr. RAFIUDDIN AHMED: এই রকম খবর আমার কাছে আসেনি।

Sj. CHARU CHANDRA BHANDARI: এই অক্টোবর নাসের আগের আর্ক্টোবর নাসে আর্থাৎ এক বংসব পূর্বে আমি যখন বুরে বুরে এক জারগায় জনসভা করতে যাছিলাম তখন একটি লোক আনাকে দূর থেকে দেবে Government Officer মনে ক'রে যর আকতে আরক্ত করে; এই লোকটি পূর্ণদিনই টাকা পেরেছিল। এই ঘটনা সেখানকার Circle Officer এর কানে ভোল। হয়েছিল—মাননীয় মন্ত্রীমহাশয় এ খবর অবগত আছেন কি ?

The Hon'ble Dr. RAFIUDDIN AHMED: আপনাৰ চিঠি পেয়েছিলাম, বিশ্ব অনুসদানে অভিযোগ সঠিক ব'লে পুমাণিত হয়নি।

Sj. CHARU CHANDRA BHANDARI: আমি নিজে তাকে বর ভালতে দেখে এসেছি এবং ভালনাম সে টাকাও নাকি পেয়েছে। মাননীয় মন্ত্রীমহাশয়ের কাছে আমি জানতে চাই সে টাক। পেয়েছিল কিনা ?

The Hon'ble Dr. RAFIUDDIN AMMED: সঠিক নামধাৰ দিবে বাবি পরে বাপনাকে বানিত পারি।

Sj. HEMANTA KUMAR BASU: মাননীর ষ্ট্রীমহাশ্য জানাবেন কি আমার কাছ থেকে তিনি এই রক্ম কোন অভিযোগ পেয়েছিলেন কি না যে, স্থুলরবনের যাদের ধর ভেকেছিল তারা সাহাষ্য পাছনি ?

The Hon'ble Dr. RAFIUDDIN AHMED: আপনার অভিযোগ পেয়েছিলাম, কিন্তু অনুসন্ধানে তা সঠিক ব'লে পুমাণিত হয়নি।

- 8j. HEMANTA KUMAR BASU: 'আনসীয় বন্ধীনহালক' (১)তে "না" কলেছেন, কিন্ত এখন দেখা যাচেছ তিনি আমার অভিযোগ পেয়েছিলেন।
- sj. DERENDRA: NATH SEN: Will the Hon'ble Minister be pleased to state, with reference to his reply (7) what was the agency through which this money was distributed?

The Hon'ble Dr. RAFUDDIN AHMED: Through the usual agency, viz., our District Magistrates and Circle Officers—the usual Governmental agency.

8J. HARIPADA CHATTERJEE: বাননীর মহীবহাণর শীকার করবেন কি বে সাহাব্য দেওবঃ হরেছিল তা বংগাপহক্ত নর ?

The Hon'ble Dr. RAFIUDDIN AHMED: সেটা বতের উপর নির্ভর করে। বে রক্ষ তথ্য আছে তা থেকে বনে হয় বথেষ্ট সাহায্য দেওৱা হয়েছিল।

8J. HARIPADA CHATTERJEE4 বাননীয় মধীমহানর ভালেন কি যে, ঐ অঞ্চলের গ্রামবাসীয়ঃ সর্বভার হ'বে কলকাতার দিকে আসছে ?

The Hon'ble Dr. RAFIUDDIN AHMED: সে পুশু এখানে উঠে না :

8j, HARIPADA CHATTERJEE: মাননীয় মহীমহাশর জানেন কি বে, ডা: শ্যামাণুসাদ মুঝোপাঝার একটা বিবৃতি দিরেছেন, ডাতে আছে ৮ জন লোক না খেতে পেরে বারা গিরেছে। ডাদের নামও আমি দিতে পারি।

The Hon'ble Dr. RAFIUDDIN AHMED: অনুস্থান ক'রে জান। গিরেছে সে ধবর সঠিক বয়।

8j. HARIPADA CHATTERJEE: ১৯৪৩ সালের মত অবস্থা সেখানে হয়্যেছ এটা মাননীয় মন্ত্রীমহাপ্য স্বীকার করবেন কি ?

(No reply.)

8j. HEMANTA KUMAR BASU: খনেছি ইউনিয়ন বোর্ডের প্রেসিড়েণ্ট নিতাই বওল যিনি কংগ্রেস সরকারেরই সমর্থক তাঁর হারা অর্থ বিলি করা হরেছে এবং তিনি নাকি পঞ্চপাতিছ করে অর্থবিলি করেছেন— এ সহত্তে মাননীয় মন্ত্রীমহাশয় আমাদের কিছু জানাবেন কি ?

The Hon'ble Dr. RAFIUDDIN AHMED: আমার জানা নাই।

8j. HARIPADA CHATTERJEE: নাননীয় মহীনহাণর জানাবেন কি বে, হাসনাবাদ, সন্দেশধালী, হারোয়া, ক্যানিং ও জয়নগরের অবস্থা অত্যন্ত শোচনীয় এবং এইসব স্থানে ৪৫১/৫৫১ দরে চাউক্ত বিক্রী চচেছ—এই সংবাদ সত্য কিনা ?

The Hon'ble Dr. RAFIUDDIN AHMED: নোটিণ পেলে সম্পূর্ণ ধবর বলতে পারব।

8]. DEBENDRA NATH SEN: In view of the various allegations brought before this Assembly that the money has not been well spent and the needy people have not got it, will the Hon'ble Minister be pleased to make an enquiry into the matter?

The Hon'ble Dr. RAFIUDDIN AHMED: Certainly, if you give me in writing, we shall have an enquiry made.

8]. HARIPADA CHATTERJEE: Supplementary question, Sir, হাসনাবাদের বিষপুর ইউনিয়নের পূলপাড়ার অধিবাদী মাধব সর্কারের পুত্র, পূত্রবধু, কৃষ্ণপদ সরকার ও তাহার দুই সন্তান জনাহাত্রে মারা গিয়েছে; সন্দেশখালি থানার কালিনগর ইউনিয়নের ছোট সেহারায় অধিক্র নয়া, কালিনগর ইউনিয়নের নিত্য বেড়িয়ার স্থাতিবর পাঠা ও পুসনু কোরা ও ক্যানিং খানার পেওলি ইউনিয়নের বেক কর্মকারের ক্লায় জনাহাত্রে মারা গিরেছে এসব ঘটনা সত্য কিলা নালনীয় ব্যাবহাণর পরা করে জালাবেন কি ?

The Hon'ble Dr. RAFIUDDIN AHMED: আৰায় আৰু৷ নাই ৷ নিবিভডাবে আৰাকে দিন, আমি অনুসভান করে পরে আপনাকে আৰাৰ ৷

## Water-logged areas in the Sonarpur and Baruipur Thanas, 24-Parganas

\*48. (SHORT NOTICE.) Janab ABDUS SHOKUR: (a) Will the Hon'ble Minister in charge of the Irrigation and Waterways Department be pleased to state if he is aware that a vast area in the Sonarpur and Baruipur thanas of the district of 24-Parganas is lying water-logged for several years and yielding no crop?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state in detail as to what steps, if any, have been taken or proposed to be taken to drain up the area and bring it under cultivation?

## MINISTER in charge of the IRRIGATION and WATERWAYS DEPARTMENT (the Hon'ble Bhupati Majumdar): (a) Yes.

(b) A high-level Technical Committee was set up by Government a few years ago to formulate after necessary investigations schemes to solve the drainage problem of Calcutta and its adjoining areas. One of these schemes which has been given top priority in the Sonarpur-Arapanch-Matla Scheme estimated to cost Rs.105 lakhs. This scheme provides for installation of four heavy-duty electrically operated pumps with a set of internal drainage channels for pumping out surplus water from an area of about 105 square miles in Sonarpur and Baruipur police-stations for ultimate discharge into the Peali river. This will benefit a net area 72-5 square miles. The removal of water-logging will make it possible to grow kharif and rabi crops in the area estimated at 29,100 tons per annum valued at Rs.70 lakhs.

As the State Government are not in a position to finance this costly scheme immediately, the Government of India was approached for funds. They have agreed to finance a restricted scheme costing Rs.44 lakhs as a part of the bigger scheme costing Rs.105 lakhs, and have accordingly sanctioned a grant of Rs.11 lakhs and a loan of Rs.33 lakhs for the purpose.

Preliminary steps for the execution of the restricted scheme have been taken. The tender for the supply and erection of the heavy-duty pumps to be obtained from abroad has already been accepted and the electrical portion of the work has also been taken up. The work is expected to be completed in December, 1952, when the scheme will be in operation. This scheme will benefit an area of about 36-5 square miles in the Sonarpur and Baruipur police-stations and raise the annual yield of paddy and other food crops by about 17,800 tons valued at Rs.44 lakhs. It may be mentioned that the present scheme has been approved on the assumption that the recurring cost of Rs.1 lakh per annum for maintaining the drainage system will be met by recoveries from the cultivators benefiting from the scheme through a development levy at the rate of Rs.4.2 per acre.

This Government also recommended to the Planning Commission of the Government of India the inclusion of the comprehensive Sonarpur-Arapanch-Matla Scheme in the plan for the first five-year period (1951-52 to 1955-56). The Planning Commission have included it in their draft 5-year plan. The execution of the bigger scheme of which a part is already in progress will depend on the finalisation of the 5-year plan by the Government of India. It has not yet been possible to find the balance of funds necessary to execute the bigger scheme costing Rs.105 lakhs.

## UNSTARRED QUESTION

(answer to which was laid on the table)

#### Bankura tour of the Director of Information

- 11. 8j. KANAILAL DE: Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state—
  - (ক) তুলাচাৰ উপলক্ষে Director of Information এপৰ্যন্ত কতবার বাকুড়া জেলার ক্রমণ্ড ক্রিয়াছেন;

- (খ) Director of Information প্ৰভ আগষ্ট বাবে দোনামুখী খানায় ভ্ৰমণ করিয়াছিলেন কি না: করিয়া থাকিলে, সে সময় তিনি কোথায় কোথায় গিয়াছিলেন;
- (न) जीशन बमारनन क्या कथा है कि बात रहे ने एक ;
- (খ) তাঁহার ভ্রমণের ফলে বাঁকুড়া জেলার কত পরিমাণ অমিতে তুলাচার হইরাছে; এবং
- (৩) ইছা কি স্থা যে, ঐ সময় বাক্ড়া জেলা বোর্ডের লোনাম্থী-যুক্ত-পাত্রনায়ের নির্বাচক-মঞ্জীতে নির্বাচন হইবার কথা ছিল ?

MINISTER in charge of the AGRICULTURE DEPARTMENT (the Hon'ble Prafulla Chandra Sen): (ক) ত্লাচাৰ উপলক্ষে Director of Information তিনবার বাকুড়া জেলায় ভ্রমণ করিয়াছেন—গত ৭ই মে, ১৩ই জুন ও ৭ই আগঠ।

- (খ) সোনামুখী থানার ভিতর দিয়া যে রাস্তা গিয়াছে সেই রাস্তার উপর দিয়া ডিনি গিয়াছিলেন। সোনামুখী থানার কোনও গামে তিনি যান নাই। সোনামুখী থানার নবাসন নামে একটা মাত্র আমে যাবার কথা ছিল কিন্তু কার্যাস্চী পরিত্যক্ত হওয়ায় তথায় যাওয়া ক্লয় নাই।
  - (গ) ভিনশত চৌষ্টি টাকা এগার আনা।
- (ঘ) তাঁহার জমণের ফলে এবং চেটার বঁকুড়া জেলার বিভিন্ন অফলে এ যাবৎ ৮০০ একর আনমিতে তুলাচার দন্তব হুইরাছে। এখানে একথা উল্লেখযোগ্য যে, পশ্চিম বাংলার এ বছর প্রায় ৪,০০০ একর জামতে তুলার চায় হুইরাছে। অন্যান্য জেলার কলের লাজলের সহারভার বছ জমি চায় হুইরাছে কিন্তু বাকুড়া লেলায় হাত-লাজলের সাহাযো ছু-একর করিয়া ৬০০ একরের চায় বিশেষ উল্লেখযোগ্য।
- (ঙ) সোনামূখী-বৃক্ত-পাত্রসায়ের নির্কাচকমগুণীর জেলাবোর্ডের সদস্য নির্কাচন গত আগষ্ট মানের শেবভাগে হইয়াছে।
- 8j. KANAI LAL DE: অতিরিক্ত পুশু স্যার, মাননীয় মন্ত্রীমহাণয় বলবেন কি, এই যে Director of Information এবং Supply Minister, এর সোনামুখী থানার লোকজনকে ডাকিয়ে District Board এর Congressএর পক্ষ থেকে একটা সভা করে ছিল।

The Hon'ble PRAFULLA CHANDRA SEN: এ খবর সভ্য নর।

Bj. KANAI LAL DE: মাননীয় বছীষহাণয় বলবেন কি, বধন Supply Minister, Director of Information সহ যধন এই অঞ্চল অষণ করছিলেন তখন সোনাযুখী, পাত্র-সারের ও পার্শ্ববর্তী গ্রামে District Boardএর electionএর সময় ছিল এবং তাঁর। সেধানকার সব লোককে ভাকিয়ে, ভোট দেবার জন্য এবং তাদের কাকে ছিয়ায়ির। কিন্তা প্রিটি প্রিটি প্রতিশাকে সেধানে অমণ করেছিলেন ?

8j. KANAI LAL DE: বাননীয় নতীমহাপদ বলেছেন নৈ বাঁকুড়া বৈকি ফোনামুৰী পর্যাও একটা রাস্তা চলে গিয়েছে এবং এই রাজা, দিয়ে তাঁরা লমণ করেছিলেন—মাননীয় নতীমহাপদ এখন বলবেন কি, যে বাঁকুড়া থেকে সোনামুৰী যাবার পর্যে কোন ভারগারই তুলা চাম হরনি এবং ঐ সমস্ত ভারিতে কেবল মাত্র বাল চাম হয়েছিল?

The Hon'ble PRAFULLA CHANDRA SEN: व বাজা ববে তাঁব। বৰণ করেছিলেন টেক, কিছ সৰ সময়ই বে তার আনে পাশের জমিতে তুলা চাব হবে, এখন কথা নর ।

8j. KANAI LAL DE: বাননীৰ বৰীবহাণৰ অনুপূহপূৰ্বক জানাবেন কি, Supply Minister, Director of Information সহ ঐ সমন্ত জাৰগাৰ তুলা চাৰ কৰা ছাড়াও অন্য কি, কি কাজ কৰেছেন ?

The Hon'ble PRAFULLA CHANDRA SEN: Notice from stre winter

8j. KANAI LAL DE: বাননীয় ষত্ৰীনহাপৰ জানেন জি, এই Director of Information ও Supply Minister বখন বাঁকুড়া জেলা, সোনাবুৰী খানা অঞ্চলে বৰণ কৰেন দেই সময় সেখানে নিৰ্বাচক্ষণ্ডলীতে নিৰ্বাচন হবার কথা ছিল এবং সেই উদ্দেশ্যেই তাঁরা সেখানে বৰণ করেছিলেন ?

The Hon'ble PRAFULLA CHANDRA 8EN: তাঁরা দেখাদে দকর করে ছিলেন, কিছ তার সলে এই নির্বাচনের কোন সম্পর্ক ছিল না। তুলা চাঘ বাড়াবার জনাই তাঁরা দেখাদে গিরেছিলেন, এবং তাঁলের কাজ খুব বার্থক হরেছে।

The Hon'ble PRAFULLA CHANDRA SEN: তুলা চাবের সক্ষে এই অতিরিক্ত পুণুের কোন সম্পর্ক নাই। এটা অবান্তর।

৪j. ANNADA PROSAD CHOWDHURY: মাননীয় য়য়ীয়হাশয় অনুগৃহ করে বলবেন কি, সোনামুখী যুক্ত পাত্রসায়ের নির্বাচক মণ্ডলীয় জেল। বোর্ড পরিপর্শন ছাড়াও বাঁকুড়ায় আয় কোন কোন জায়গায় তাঁয়া নিয়েছিলেন ?

The Hon'ble PRAFULLA CHANDRA SEN: लागिन पिरन वनव ।

**SJ. KANAI LAL DE:** মাননীয় মন্ত্ৰীমহাণয় বলবেন কি, Supply Minister ও Director of Information সোনাম্বী, পাত্ৰসায়ার অঞ্চল ছাড়া, আর কোন কোন ইউনিয়নে গিয়েছিলেন ?

The Hon'ble PRAFULLA CHANDRA 8EN: আনি বার বলছি যে মাননীয় সরবরাহ মন্ত্রী এবং কমল কৃষ্ণ রায় এই বাঁকুড়া জেলায় তুলা চাঘ বৃদ্ধির উদ্দেশ্যেই সেধানে সকর করেছিলেন এবং তাঁদের সেই সফর স্বার্থক হয়েছে। আপিনার এ পুস্পু অবান্তর।

8j. KANAI LAL DE: আমি অবান্তর কথা বলছি না। আমার পুশুটা হচেছ, মাননীয় মন্ত্রীমহাশর অনুপ্রহ করে বলবেন কি, ঐ সময় সোনামুখী-মুক্ত-পাত্রসায়ের নির্বাচক মণ্ডলী এচেও ছাড়া বাঁকুড়ার আর কোন কোন আরগায় তারা গিরেছিলেন ?

The Hon'ble PRAFULLA CHANDRA SEN: यেখানে যেখানে তুলা চাম ভাল হর সেখানে সেখানে গিয়েছিলেন।

8j. KANAI LAL DE: কোণায় কোণায় তুলা চাঘ ভাল হয় তা মাননীয় ময়ীমহাশয় বলতে পাৰেন কি ?

The Hon'ble PRAFULLA CHANDRA SEN: त्नांतिन मिरल बलव ।

#### COVERNMENT BILL.

## The Calcutta Municipal Bill, 1951.

Clause 165.

8j. BIMAL COMAR CHOSE: Sir, I beg to move that in clause 165(1), in line 2, after the words "behalf by the" the words "Corporation subject to the approval of the" be inserted.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 165(1), lines 2 and 3, for the words "State Government" the word "Corporation" be substituted.

81. BIMAL COMAR CHOSE: Mr. Speaker, Sir, both the amendments have practically the same object in view. Section 165(1) states that the municipal accounts shall be examined and audited from time to time by auditors appointed in that behalf by the State Government". My amendment says that the auditor should be appointed by the Corporation subject, as I said, to the approval of the State Government. Dr. Banerji has gone a step forward and he said that the auditor should be appointed by the Corporation only and that there should be no necessity of any approval by the State Government. Sir, the arguments are more or less the same. As the Chief Minister knows very much more than I do that in any company when the question of appointment of an auditor comes in, it is the Company which appoints the auditor. Here also as the Corporation affairs are to be audited, it would have been better if the Corporation had been given this authority. I just do not understand as to why the Government is unwilling to give even this power to the Corporation. The reason may be that the Government may feel that there will be auditors appointed who will not do the work properly, but as the Chief Minister also knows very well that certain rules have been prescribed for the work of the auditors and it is not very easy now-a-days for them to do anything in a way that is not according to the rules framed by the Government. And even so if the auditor has been, in the first place, appointed by the Corporation and it was made subject to the approval of the Government, any fear that the Government might have that the Corporation will not appoint good auditors or the auditors will not do the work properly,—that fear should no longer be there because the auditor would be appointed subject to the approval of the Government. Now this may appear to be a very small matter, but we have been trying to show that even in small matters, Government seem to be very unwilling to give powers to the Corporation. I should be very much obliged if the Chief Minister will explain to us as to the reason why he feels that the Corporation should not even be given the power to appoint its auditor even if that appointment is made subject to the approval of the State Government.

Dr. 8URESH CHANDRA BANERJI: মাননীয় স্পীকার মহোদয়, আমার amendment সমতে বিশেষ কিছু বলবার প্রয়োজন নেই, কারণ বিষল যোষ মহাশয় যে যুক্তি দেখিয়েছেন সেই একই আমার যুক্তি।

আমি বুঝতে পারি না Corporationএর হিসাবপত্র audit করবে কে? Auditorকে appoint গভর্ণবেণ্ট করবেন, না Corporation করবেন, এইটাই হচেছ প্রধান প্রশু। আমরা চিরকানই বলে আসছি যে Corporationএর হাতে সমস্ত ক্ষমতা দিতে হবে। আমরা মনে করি Corporationএর হিসাবপত্র বে Auditor ঠিক করবেন, তাঁকে appoint করবার ভারও Corporationএর উপর ধাকবে। বিমল ঘোদ মহাল্য বলেছেন subject to the approval of the Government. এটা আমি মানি না। আমি সব ক্ষমতাই Corporationএর হাতে দিতে চাই। কিছ, গভর্ণবেণ্ট তাতে রাজী নন। তাঁরা বলছেন এই Auditorএর appointment Government করবেন। আমাদের এবং Governmentএর মনের মধ্যে আকাশ পাতাল তকাং। আমরা চাইছি Corporationকে সমস্ত ক্ষমতা দিতে আর গভর্ণবেণ্ট Corporationকে কোন ক্ষমতাই দিতে চান না।

যদিও আমি আনি আমাদের এবং গভর্ণবেশ্টের মনের মধ্যে আকাশ পাতাল পার্থক্য, তবুও আমার প্রস্তাবটা গ্রহণ করবার জন্য আমি গভর্ণবেশ্টকে অনুরোধ আনাচিছ।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I oppose both the amendments and the reason is quite simple. It is ordinarily the rule that whenever there is the spending authority the auditing authority should be

different. In the case of Government also their accounts are audited by the Auditor-General who, under the Constitution, is a separate entity altogether so that there is no case of their not relying upon the Corporation in this particular case. My second point is that on many occasions as it is now, the Government have to put in large amounts of money which they have to pay to the Corporation on account of their not being able to meet their expenses. At the present moment we pay 45 lakhs of rupees a year to the Corporation for meeting their expenses. Similarly we have advanced to the Corporation more than a crore of rupees and the Corporation has not yet paid it back. Therefore it is only fair that the Government auditor should be there in order to see that their accounts are properly done up. As a matter of fact if the Corporation has got their accounts properly what is the difficulty in their being able to satisfy any auditor whether appointed by Government or otherwise that their accounts are in perfect order. Sir, I oppose both the amendments.

The motion of Sj. Bimal Comar Ghose that in clause 165(1), in line 2, after the words "behalf by the" the words "Corporation subject to the approval of the" be inserted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 165(1), lines 2 and 3, for the words "State Government" the word "Corporation" be substituted was then put and lost.

The question that clause 165 do stand part of the Bill was then put and agreed to.

# Clause 166.

The question that clause 166 do stand part of the Bill was then put and agreed to.

## Clause 167.

The question that clause 167 do stand part of the Bill was then put and agreed to.

Mr. SPEAKER: As there is no amendment to clauses 168 to 171 I am putting them together.

# Clauses 168 to 171.

The question that clauses 168 to 171 do stand part of the Bill was then put and agreed to.

#### Clause 172.

The question that clause 172 do stand part of the Bill was then put and agreed to.

#### Clauses 173 and 174.

The question that clauses 173 and 174 do stand part of the Bill was then put and agreed to.

## Clause 175.

- 8j. HEMANTA KUMAR BASU: I beg to move that in clause 175, line 1, for the word "twenty-three" the words "nineteen and half" be substituted.
- Dr. SURESH CHANDRA BANERJI: I beg to move that the proviso to clause 175 be omitted.

**SJ. BIMAL COMAR GHOSE:** Sir, I beg to move that in the proviso to clause 175, line 2, for the word "thirty-three" the word "twenty-five" be substituted.

[Amended No. 210B] **8J. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that for clause 175, the following be substituted, namely:—

175. A graduated consolidated rate on the annual valuation determined "Power of Corporation to under this Chapter may be imposed by the impose consolidated rate. Corporation upon all lands and buildings in Calcutta for the purpose of this Act. Such

graduated consolidated rate shall not exceed-

- (i) fifteen per cent. on the annual valuation—where the annual valuation does not exceed one thousand rupees;
- (ii) eighteen per cent. on the annual valuation—where the annual valuation exceeds one thousand rupees, but does not exceed three thousand rupees;
- (iii) twenty-two per cent. on the annual valuation—where the annual valuation exceeds three thousand rupees, but does not exceed twelve thousand rupees; and
- (iv) twenty-three per cent. on the annual valuation—where the annual valuation exceeds twelve thousand rupees:

Provided that where the annual valuation exceeds three thousand rupees, the maximum percentage may be increased upto thirty-three per cent. with the approval of the State Government".

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in subclause (i) of clause 175 as proposed in Amendment No. 210 B by Sj. S. K. Banerjee, in line 2, for the words "one thousand" the words "three thousand and six hundred" be substituted.

I move that in clause 175 as proposed in Amendment No. 210 B by Sj. S. K. Banerjee, sub-clause (ii) be omitted.

I also move that in sub-clause (iii) of clause 175 as proposed in Amendment No. 210 B by Sj. S. K. Banerjee, in line 1, for the word "twenty-two" the word "twenty" be substituted.

I further move that in sub-clause (iii) of clause 175 as proposed in Amendment No. 210 B by Sj. S. K. Banerjee, in line 2, after the words "three thousand" the words "and six hundred" be inserted.

I again move that the proviso to clause 175 as proposed in Amendment No. 210 B by Sj. S. K. Banerjee, be omitted.

Sir, গভর্ণনেন্টের পক্ষ থেকে শ্রীবৃদ্ধ স্থানী কুমার ব্যানার্জী যে সংশোধনী প্রভাব উবাপন করেছেন তার জন্য আমি তাঁকে ধন্যবাদ জানাচিছ। কারণ এর মধ্যে ধনী আর গরীবের মধ্যে taxation সহছে পার্থক্য করার একটা মনোভাব জাছে। Original claused যা ছিল, ভাতে সকলেই সমান ছিল। Annual valuation বেটা সেটা গরীব বা ধনী সকলের ক্ষেত্রে সমান ছিল। কিন্তু এখন যে সংশোধনী পুত্মবটা স্থানীল বাবু পেশ করেছেন ভাতে আছে একটা graded rate. উনি বলেছেন, যাদের annual valuation ১ হাজার টাকা ছবে—ভালের 15 per cent. হবে। জ্যোতি বস্থ মহাশ্য এই মর্ম্মে একটা সংশোধনী পুত্মব করেছেন, শুধু এক হাজার টাকাতে নয়, ৩,৬০০, ট্রাকা পর্যন্ত annual valuationএর rate বে ক্ষেত্রে হবে—সেখানেই 15 per cent. হবে কারণ নার এক হাজারেই 15 per cent. হবে লাকের উপর জবিচার করা হবে। সেই জন্য লোকের যাতে জভ্যাচার না হর সেইদিকে লক্ষ্য রেখে আমার পুত্মবিটা হচেছ্ এই বে শুধু ১ হাজার নর, ৩,৬০০, টাকা পর্যান্ত 15 per cent. করা হোক। ভারপরে স্থানীল বাবুর ২য় নং

amendment বা এই clauseএর উপর এনেছেন সেটা হচেছ ১ হাজার টাকার বেশী কিছ ও হাজার টাকার বেশী না হয়, সেখানে হবে 18 per cent. তাঁর এই বিতীয় প্রভাবটা বাদ দিয়ে আদি এই matterbic simple করতে চাই।

তারপরে স্থশীল বাবু বেখানে ৩ হাজার টাকা থেকে ১২,০০০ টাকা পর্যন্ত annual valuationএর উপর 22 per cent. করার প্রন্তাব করেছেন, সেখানে আমার প্রন্তাবটা হচেছ ৩,৬০০,—১২,০০০ পর্যন্ত 20 per cent. করতে বলছি; তারপরে তাঁর 33 per cent.এর প্রস্তাবটা আমি বাদ দিতে বলছি। কারণ 33 per cent. is too heavy. আমার প্রন্তাব করাট অতি সহজ ও সরল, আমি ডাঃ রামকে এগুলি একটু তালো করে পড়ে দেখতে অনুরোধ করছি। এবং আশা করি তিনি আমার এই অতি সজত প্রস্তাব-গুলি বেনে নেবেন।

8j. HEMANTA KUMAR BA8U: শ্লীকার নহোদয়, আমার amendment ছিল যে 19½ per cent. consolidated rated করা, কিন্তু সরকার পক্ষ থেকে graduated scaled যেভাবে tax ধরবার ব্যবহা হয়েছে দেটা খুবই সমীচিন। কিন্তু অনসাধারণের বর্তমান আধিক ক্ষমতা ধরে যদি বিচার করা যায় তাহলে আমার মনে হয় ভা: বানাজি যে graduated scaleটা দিয়েছেন সেইটাই ₅সরকারের গুহণ করা উচিত। বর্তমানে যেভাবে valuation করা হচেছ তাতে দেখা যায় একজনের বহুদিনের পুরাণ বাড়ীকে নুতন বাড়ীর পর্যায়ে কেলে বাড়িয়ে ট্যাক্স ধরা হচেছ। জমির দাম নিশ্চ্মই বেড়েছে। কিন্তু জমির দাম বাড়ার দক্ষন যার। tax দেবে, তাদের আয় সক্ষে বাড়েনি। যাদের আয় বেড়েছে তাদের সংখ্যা নগন্য। বেশীর ভাগ লোকেরই বেশী কিছু বাড়েনি, এ অবস্থায় আইনমতে জমির দর বাড়ার দক্ষন যদি ট্যাক্স বাড়ে, কিন্তু যার। ট্যাক্স দেবে তাদের দেওয়ার ক্ষমতা যদি না বেড়ে থাকে তাহলে দেবে কি করে প্নেই জন্য ভা: বানাজির পুত্রাবটা খুবই গুহণযোগ্য হয়েছে।

ডা: রায় বলেছেন বিনা ধরচায় চলবে ? তা চলবে না। কিছু তিনি ঐ যে বড় কর্মচারী নিযুক্ত করেছেন বোটা মোটা মাইনে দিয়ে তাতে কাজের দিক থেকে কিছু সুবিধা ত হয় নাই, কলকাতার নাগরিকদের কোন সুখ স্থাবিধা বাড়ে নাই। স্নতরাং শুধু শুধু খরচ বাড়িয়ে, জনসাধারণের উপর ১৪.xএর চাপটা বাড়িয়ে, আর কিলাভ হবে ? একেই জনসাধারণের বর্তমান যা অবস্থা, তাতে যা আছে তাই দিয়ে উঠতে পারছে না, স্বতরাং আর বাডালে তাদের দেবার ক্ষতাই থাকবে না।

অতএব আমি সরকারকে অনরোধ করছি ডা: বানাজির scaleটা যদি তাঁরা গ্রহণ করেন তাহলে ভাল হয়।

8j. BIMAL COMAR CHOSE: Sir, I just want to say one word on this clause in support of the amendments of Dr. Banerji. I am glad to say that the Government have accepted a graduated rate, but the first thing that strikes one is that graduation is not fair, at least between the third and the fourth blocs, because in the third bloc it is 22 per cent. for annual valuation between 3,000 and 12,000 whereas in the next bloc it is only 23 per cent. There is a difference of only 1 per cent. between the third and the fourth blocs. It does not appear to me to be quite fair and therefore the Government would not be doing something unsual or unfair if they were to accept Dr. Banerji's amendment which says that in place of 22 it should be 20 because I feel that graduation in that case would be more fair. Of course there is every reason why there should not be any provision to increase the consolidated rate up to 33 per cent. because we find that whenever there is any provision in any Act of this nature there is a tendency to utilise it at the earliest pretext or on any pretext whatsoever. Any organisation like this is firstly a spending organisation and it would always say that for ameliorative work more money is needed and it will always come to the Government for increasing the consolidated rates. But the question arises as to whether the association or the organisation itself is not a top-heavy one as is the case of the Government. The Government are always coming to us for increased expenditure and the argument always given is that they want the money for expenditure on ameliorative works. We know what benefit the public have been receiving as a result of the huge expenditure that the Government have been incurring. Every year their proposal is for increasing taxation and that is why we are very reluctant to have a provision of this nature in the Bill which will give a handle to the Corporation to increase the rates and thereby function as an agency of oppression on people who will have to pay consolidated rates. I believe, therefore, that the amendment which Dr. Banerji has moved is eminently reasonable and hope that the Government would accept his amendment.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, when the Government decided to sponsor this amendment there were two ideas which were placed before them. One was the experience that I had gained during the long years that I was in charge of Corporation finances that it seemed to me rather iniquitous that areas which were not developed and which did not therefore get the amenities which were given to other parts of the town should be assessed at the same rate. It was argued all along by the Corporation in those days that the valuation depending as it does on the site of a particular premises would necessarily be lower in the case of an undeveloped area when compared with a developed area, but we all know that this is an argument which has some fallacies because the valuation of land and premises in a developed area does not merely depend upon the amenities provided by the Corporation but is due to various other factors. economic and otherwise. Therefore I always had felt that it was necessary to have some form of graduated scale of rates to be applied to the different premises in the different parts of the town. Parts of Cossipore and Manicktola, and for some time when Garden Reach was within the Calcutta Municipality, to my mind suffered a great deal because the rate-payers there had to pay the same rate although they could not get many of the amenities which the Calcutta town proper had and therefore I welcomed the idea which was given to me by Mr. Jyoti Basu that there could be a graduated scale of rates to be applied for the premises in the town of Calcutta. Therefore, that was the first idea.

The second idea is that by giving this relief automatically the idea which Mr. Rafique had in his amendment, namely, that areas which were not developed should not be taxed at the same rate as the areas developed, is put in. It seemed to me that the language was so vague that it was not possible for any one to apply that in practice. This is a form which can be applied in practice.

Now, as regards the different scales, my friend Dr. Banerji is an expert in accounts, but I am afraid he had no figures before him when he just casually changed from one thousand to 6,500, from 15 per cent. to 33 per cent. I will give certain figures—I have got the figures calculated. It would mean a loss of 25 lakhs a year in the revenues of the Corporation. If Dr. Banerji's amendment is accepted it would mean a loss of 45 lakhs—a very small amount—only 20 lakhs more in the realisation or in the taxation of the rates so far as the Corporation is concerned. Therefore I cannot at this stage accept that amendment. If, however, things are better and as some people imagine that we shall have a condition of affairs where people would work honorary or on a very small salary—the highest salary being Rs. 600 and so on—if that situation arises, there is nothing to prevent a change in the Act and the rates of holding.

Now, the second point is, why should you have the power given to the Corporation to increase the rates to 33 per cent.? Evidently my friends opposite have no faith even in the new Corporation because they feel that the Corporation might assess and oppress the rate-payers. After all they are the representatives of the rate-payers and therefore they will not do anything lightly and increase the assessment to 33 per cent. The reason

why we have modified it is that this rate of 33 per cent. will not be applicable below a certain annual valuation so that the poorer rate-payers will never be charged more than the rates that are mentioned in the scheme. Only those whose annual valuation is much higher than a particular figure might have to pay 33 per cent. That may be necessary because I often have felt that if the time comes when the Corporation either is to borrow from the market or the Corporation has to take loan from different people and pay interest, instead of that it should be possible for the Corporation to meet any additional expenditure by taking a temporary loan and pay it off out of increased rates. That depends upon the Corporation and that depends upon what the Corporation feels at a particular moment. Therefore, Sir, we have very carefully gone through the figures and we have put this amendment which I think is the most reasonable approach at the present, and if and when the new Corporation thinks that there is need to be any change in the rates it can always come up before the legislature and get the rules changed.

With these words I oppose all the amendments that have been moved.

- Dr. SURESH CHANDRA BANERJI: With your permission, instead of the five amendments which I have got and which I have moved I want to have them moved in one consolidated amendment in place of five.
  - Mr. SPEAKER: Have you not moved them?
- Dr. SURESH CHANDRA BANERJI: Yes, I have moved them but with the permission of the Speaker I want to move one amendment in place of five.
- Mr. SPEAKER: I understand that the mover Dr. Suresh Chandra Banerji wishes that all the five amendments should be put before the House as one amendment and if they so desire they will ask for a division on this amendment as a whole. I do not think the House has any objection to this course being followed.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Let him have it.

- Mr. SPEAKER: I take it that the House has no objection. I am putting all the five amendments as one consolidated amendment.
- Sj. BIMAL COMAR CHOSE: On a point of order. The amendments are to different clauses and have different connotations. One may accept one and not accept the other. How can you consolidate all these amendments and put them as one amendment before the House?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I think Dr. Banerji asked permission and the House has given him permission.

Sj. SIBNATH BANERJEE: Even after permission is given if it is out of order it cannot be allowed to be moved.

**Shaikh MOHAMAD RAFIQUE:** I find great difficulty because whereas I can see that I can support amendment No. 210C I find difficulty in supporting the other amendments.

Mr. SPEAKER: Well, if there is any objection on the part of the House, then I am sorry I cannot allow consolidation of the amendments and all the amendments must be put separately.

The motion of Dr. Suresh Chandra Banerji that in sub-clause (i) of clause 175 as proposed in amendment No. 210B by Sj. S. K. Banerjee, in

line 2, for the words "one thousand" the words "three thousand and six hundred" be substituted, was then put and a division taken with the following result:—

#### AYE8-11.

Bandyopadhyay, Sj. Pramatha Nath Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Ghosh, Dr. P. C. Ghohammad Rafique, Shaikh Sen, Sj. Debendra Nath

#### NOES-44.

Abdullah, Janab S. M.
Abdus Shokur, Janab.
Banerjee, Sj. Sushil Kumar.
Barman, The Hon'ble Syama Prasad.
Bhattacharyya, Sj. Shyamapada.
Chakravarty, Sj. Satish Chandra.
Chaudhuri, The Hon'ble Rai Harendra
Nath.
Das, Sj. Radha Nath.
Das Gupta, Sj. Khagendra Nath.
Dass, Sj. Kanallal
Ganguli, Sj. Bepin Beharl.
Gayen, Sj. Arabinda.
Golam Hamidur Rahman, Janab.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand.
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab.
Maiti, The Hon'ble Nikunja Beharl.
Majumdar, The Hon'ble Bhupati.
Mai, Sj. Iswar Chandra.
Mailiok, Sj. Ashutosh.

Mandai, Sj. Annadaprasad.
Mandai, Sj. Bankubehari.
Mandai, Sj. Krishna Prasad
Mandai, Sj. Umesh Chandra.
Misra, Sj. Sowrindra Mohan.
Mookerji, The Hon'ble Kalipada.
Muhammad Thossain, Janab.
Muhammad Siddique, Dr. Syed.
Murarka, Sj. Bansantial.
Naskar, The Hon'ble Hem Chandra.
Panja, The Hon'ble Hem Chandra.
Panja, The Hon'ble Jadabendra Nath.
Pramanik, Sj. Rajani Kanta.
Rafuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, Sj. Jajneswar.
Roy Sarkar, Sj. Birendra Nath
Roy Singh Sarker, Sj. Satish Chandra
Serajuddin Ahammad, Janab
Sen, The Hon'ble Prafulla Chandra.
Shamsui Huq, Janab.
Sinha, The Hon'ble Bimai Chandra.

The Ayes being 11 and the Noes 44, the motion was lost.

The motion of Dr. Suresh Chandra Banerji that in clause 175 as proposed in amendment No. 210B by Sj. S. K. Banerjee, sub-clause (ii) be omitted, was then put and a division taken with the following result:—

#### AYES-8.

Bandyopadhyaya, Sj. Pramatha Nath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Ghose, Sj. Bimai Comar Ghose, Dr. P. C.

#### NOE8-45.

Abdullah, Janab S. M.
Abdus Shokur, Janab.
Banerjee, Sj. Sushii Kumar.
Barman, The Hon'ble Syama Prasad.
Bhattacharyya, Sj. Shyamapada.
Chakravarty, Sj. Satish Chandra.
Chaudhuri, The Hon'ble Rai Harendra
Nath.
Das, Sj. Radha Nath.
Das Gupta, Sj. Kanaiiaj
Dutt-Mazumdar, The Hon'ble Niharendu.
Ganguii, Sj. Bepin Behari.
Gayen, Sj. Arabinda.
Qujata, Sj. J. C.
Haidar, Sj. Kuber Chand.
Khuda Bukhsh, Janab Md.

Mahammad Kased Ali, Janab.
Mahammad Sayeed Mia, Janab.
Maiti, The Hon'ble Nikunja Beharl.
Majumdar, The Hon'ble Bhupatl.
Mal, Sj. Iswar Chandra.
Mallick, Sj. Ashutosh.
Mandal, Sj. Ashutosh.
Mandal, Sj. Bankubeharl.
Mandal, Sj. Bankubeharl.
Mandal, Sj. Umesh Chandra.
Misra, Sj. Sowrindra Mohan.
Mookerji, The Hon'ble Kailpada.
Mudassir Hossain, Janab.
Muhammad Qumruddin, Janab.
Muhammad Giddique, Dr. Syed.
Mukherji,, Sj. Dhirendra Narayan.
Murarka, Sj. Bansantial.
Naskar, The Hon'ble Hem Chandra.

Panja, The Hen'ble Jadabendra Nath, Pramanik, Sj. Rajani Kanta. Rafuddin Ahmed, The Hon'ble Dr. Roy, The Hon'ble Dr. Bidhan Chandra. Roy, Sj. Jajneswar. Roy Sarkar, SJ. Birendra Nath. Roy Singh Sarker, SJ. Satish Chandra. Sen, The Hon'ble Prafulla Chandra. Shamsul Huq, Janab. Sinha, The Hon'ble Bimal Chandra.

The Ayes being 8 and the Noes 45, the motion was lost.

Dr. SURESH CHANDRA BANERJI: With your permission, Sir, I beg to move that in sub-clause (iii) of clause 175 as proposed in amendment No. 210B by Sj. Sushil Kumar Banerjee, in line 1, for the word "twenty-two" the word "twenty" be substituted,

and that in sub-clause (iii) of clause 175 as proposed in amendment No. 210B by Sj. Sushil Kumar Banerjee, in line 2, after the words "three thousand" the words "and six hundred" be inserted,

and that the proviso to clause 175 as proposed in amendment No. 210B by Sj. Sushil Kumar Banerjee be omitted.

The motion was then put and a division taken with the following result:—

#### AYES-7.

Bandyopadhyaya, Sj. Pramatha Nath. Banerji, Dr. Suresh Chandra. Basu, Sj. Hemanta Kumar. Choudhury, Sj. Annada Prosad. De, Sj. Kanai Lal. Ghose, Sj. Bimai Comar. Ghose, Dr. P. C.

#### NOE8-45.

Abdullah, Janab S. M.
Abduls Shokur, Janab.
Banerjee, Sl. Sushil Kumar.
Barman, The Hon'ble Syama Prasad.
Bhattacharyya, Sl. Shyamapada.
Chakravarty, Sl. Satish Chandra.
Chaudhuri, The Hon'ble Rai Harendra
Nath.
Das, Sj. Radha Nath.
Das Gupta, Sj. Khagendra Nath.
Dass, Sj. Kanalial
Dutt-Mazumdar, The Hon'ble Niharendu.
Ganguli, Sj. Bepin Beharl.
Gayen, Sj. Arabinda.
Golam Hamldur Rahman, Janab.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand.
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab.
Mahammad Sayeed Mia, Janab.
Maiti, The Hon'ble Nikunja Behari.
Maiti, The Hon'ble Nikunja Behari.
Malumdar, The Hon'ble Bhupati.
Mal, Sj. Iswar Chandra.

Malliok, 8j. Ashutosh
Mandal, 8j. Annadaprasad.
Mandal, 8j. Bankubehari.
Mandal, 8j. Krishna Prasad
Mandal, 8j. Umesh Chandra.
Misra, 8j. Bowrindra Mohan,
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab.
Muhammad Qumruddin, Janab.
Muhammad Qumruddin, Janab.
Muhammad Qumruddin, Janab.
Muharjin, 8j. Bhirendra Narayan.
Murarka, 8j. Bansantlal.
Naskar, The Hon'ble Hem Chandra.
Panja, The Hon'ble Jadabendra Nath.
Pramanik, 8j. Rajani Kanta.
Rañuddin Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, 8j. Jajneswar.
Roy Sarkar, 8j. Bartendra Nath
Roy Singh Sarker, 8j. Satish Chandra
Serajuddin Ahammad, Janab
Shamsul Muq, Janab.
Sinha, The Hon'ble Bimai Chandra.

The Ayes being 7 and the Noes 45, the motion was lost.

Mr. SPEAKER: Amendments Nos. 210E to 210G fall through.

The motion of Sj. Sushil Kumar Banerjee that for clause 175, the following be substituted, namely:—

- "175. A graduated consolidated rate on the annual valuation deter-Power of mined under this Chapter may be imposed by the Corporation to impose onsolidated Act. Such graduated consolidated rate shall not exceed—
  - (i) fifteen per cent. on the annual valuation where the annual valuation does not exceed one thousand rupees;

- (ii) eighteen per cent. on the annual valuation where the annual valuation exceeds one thousand rupees, but does not exceed three thousand rupees;
- (iii) twenty-two per cent. on the annual valuation where the annual valuation exceeds three thousand rupees, but does not exceed twelve thousand rupees; and
- (iv) twenty-three per cent. on the annual valuation where the annual valuation exceeds twelve thousand rupees;

Provided that where the annual valuation exceeds three thousand rupees, the maximum percentage may be increased up to thirty-three per cent. with the approval of the State Government."

was then put and agreed to.

Mr. SPEAKER: Amendments Nos. 212, 215 and 218 fall through.

The question that clause 175, as amended, do stand part of the Bill was then put and a division taken with the following result:—

#### AYES-47.

Abdullah, Janab S. M.
Abduls Shokur, Janab.
Banerjee, Sj. Sushil Kumar.
Barman, The Hon'ble Syama Prasad.
Bhattacharyya, Sj. Shyamapada.
Chakravarty, Sj. Satish Chandra.
Chaudhuri, The Hon'ble Rai Harendra
Nath.
Das, Sj. Radha Nath.
Das Gupta, Sj. Khagendra Nath.
Dass, Sj. Kanalial
Dutt-Mazumdar, The Hon'ble Niharendu.
Ganguli, Sj. Bepin Behari.
Gayen, Sj. Arabinda.
Golam Hamidur Rahman, Janab.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand.
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab.
Mahammad Sayeed Mia, Janab.
Maiti, The Hon'ble Nikunja Behari.
Majumdar, The Hon'ble Bhupati.
Maj, J. Iswar Chandra.
Mailok, Sj. Iswar Chandra.

Mandal, Sj. Annadaprasad.
Mandal, Sj. Bankubehari.
Mandal, Sj. Krishna Prasad.
Mandal, Sj. Umesh Chandra.
Misra, Sj. Sowrindra Mohan.
Mohamad Rafique, Shaik.
Mookerji, The Hon'ble Kalipada
Mudassir Hossain, Janab.
Muhammad Qumruddin, Janab.
Muhammad Qumruddin, Janab.
Muharii, Sj. Dhirendra Narayan.
Murarka, Sj. Bansantial.
Naskar, The Hon'ble Hem Chandra.
Panja, The Hon'ble Jadabendra Nath.
Pramanik, Sj. Rajani Kanta.
Rafiuddin Ahmed, The Hon'ble Dr.
Ricketts, Mrs. E. M.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, Sj. Jajneswar.
Roy Sarkar, Sj. Birendra Nath.
Roy Singh Sarker, Sj. Satish Chandra.
Serajuddin Ahammad, Janab
Shamsul Huq, Janab.
Sinha, The Hon'ble Bimal Chandra

#### NOES-6.

Bandyopadhyaya, Sj. Pramatha Nath, Banerji, Dr. Suresh Chandra. Basu, Sj. Hemanta Kumar. Mandal, Sj. Annadaprasad. De, Sj. Kanai Lal. Ghose, Sj. Bimal Comar.

The Ayes being 47, and the Noes 6, the motion was carried.

# New clause 175A.

**Shaikh MOHAMAD RAFIQUE:** Sir, I beg to move that after clause 175, the following new clause be inserted, namely:—

- "175A. The consolidated rate be apportioned as follows:—
- (1) Administration—works, loan, education, etc.—60 per cent. of the consolidated rates,

- (2) Filtered and unfiltered water—15 per cent. of the consolidated rates,
- (3) Conservancy and sanitation—25 per cent. of the consolidated rates, and the Corporation shall allow these rebates in wards where these services do not exist."

Mr. SPEAKER: I think you should not move this portion—"and the Corporation shall allow these rebates in wards where these services do not exist." It is very vague. You please omit this and then move the rest.

The Hon'ble Dr. BIDHAN CHANDRA ROY: I cannot understand Mr. Rafique's amendment. What is it he wants?

Shaikh MOHAMAD RAFIQUE: Sir, I was just going to explain to the Chief Minister who cannot understand.

While speaking on the last clause, the Chief Minister said that these graduated scales of consolidated rates which have been moved by the Government party were meant for undeveloped wards also. Sir, I am sorry I cannot follow that argument of the Chief Minister because the graduated rates which have been proposed in the preceding clauses were meant for poor people—people who were getting annual rent of Rs. 1,000 or Rs. 2,000 or more irrespective of the fact whether they lived in developed or undeveloped wards. The concession was allowed to them simply because they could not afford to pay those high rates-22 per cent. and 23 per cent. That was a sort of concession which was given to the poor people irrespective of the fact whether they lived in developed or undeveloped wards. Sir, those allocations which I have made of the consolidated rates are just for the purpose that people, living at places where these amenities or these services do not exist, may claim them. Unfortunately the amendment is not happily worded but if the Government accept the principle it can be properly worded. Sir, I do not want any mercy from the Corporation. If I am getting any rent or if I am living in a house and I am getting all the amenities that other people are getting. I am willing to pay taxes which are imposed by the Corporation. But I am living in a ward, for instance, in the Dhapa area or Chingrihata or Cossipore area where filtered water and unfiltered water are not supplied at all, I am living at a place where I pay Rs. 2,000 as rent but I do not get a single drop of water or where I have not got connected privies and my roads are such that you need not have to use purgative but you automatically get your digestion, these are the wards where I live, but, at the same time, I have to pay 22 per cent. on the rents which I have to pay to the landlord. Sir, I want justice. I think, Sir, Dr. Roy-at his old age his memory has not failed him-said many times in the Corporation that these undeveloped areas do deserve concession in one form or another. I know Dr. Roy will say that it is very difficult. When this matter comes up before the Corporation, the Councillors by a majority of votes would say that ward No. 10 where he lives is an undeveloped ward-

The Hon'ble Dr. BIDHAN CHANDRA ROY: Which amendment is he moving?

Shaikh MOHAMAD RAFIQUE: Amendment No. 219.

The Hon'ble Dr. BIDHAN CHANDRA ROY: That does not concern undeveloped area.

**Shaikh MOHAMAD RAFIQUE:** I am just developing my argument. When I move my amendment No. 220, he will jump up and say that this does not apply here. These 219 and 220 are practically the same.

So, as I was saying, we want rebate for services which are not given to us. I will just give you areas which are water-logged with ordinary rain—places which are knee-deep, places where there is no filtered water, no unfiltered water, places where we have not got asphalted roads, where we have not got connected privies. There are wards where there is no light,—gas or electric, or of any kind. Kerosene lamps which are placed on some roads do not burn for months and months because contracts are given to people and they do not get kerosene oil which is a strictly rationed article nowadays. The roads are also very bad. I would in all fairness ask the Chief Minister, is it fair, is it honest that you should ask such wards to pay the full taxes when you do not give them the services? If the State Government think that these wards, which are undeveloped but when they are developed in the near future, should pay the full percentage of tax, I would agree to it. I would leave the choice of the undeveloped wards to the Government. I fear the Government is reluctant to give powers to the Councillors—when the new Corporation comes into existence—to judge such matters. The Government is very suspicious. It thinks, that these Councillors are not capable of discharging their duties, even in the near future, honestly and with propriety. Sir, I would not discuss that point. I would leave it to the Government to announce every year and not the Corporation which of the wards are developed and which of them are halfdeveloped. I would say, let them give 25 per cent. or 20 per cent. or even 15 per cent. as allocations for different services in these wards. Let them say that these wards are half-developed and they should pay such and such percentage of consolidated rates. Sir, I do not think Dr. Roy will have any argument except that it is very difficult to differentiate because the wards will be partially improved from time to time and the Corporation will find it very difficult to say which portion of a ward is developed and which portion of a ward is not developed. The proposition which I am moving is not a new one. I have seen such allocations in different municipalities in different parts of the world. I have seen some of the constitutions of municipalities in Europe and I have found that they have allocated percentages for different kinds of services. As I have said, let it be left with the Corporation to determine before the financial year as to which portion of a ward should enjoy a rebate on account of the services which are non-existant.

Sir, these are the submissions which I would like to make through you, to the Chief Minister, and I hope that these bare commonsense facts he will readily accept unless he has got a pre-conceived notion of not accepting any reasonable amendment which is being moved on the floor of this House by the Opposition.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, my friend Mr. Rafique has spoken for nearly ten minutes, but I have not really understood what he has spoken about. He says: "and the Corporation shall allow these rebates." What rebates? Where is the question of rebates? I do not understand the amendment, and I am surprised that without understanding it himself properly he is trying to make us understand. What does he mean when he says "and the Corporation shall allow these rebates." In the first part of the amendment he says that the consolidated rate should be divided into three sections, and then he says that "the Corporation shall allow these rebates in wards......." What he means by "these rebates" I do not understand. Sir, I oppose the amendment.

The motion of Shaikh Mohammad Rafique that after clause 175, the following new clause be inserted, namely:—

- "175A. The consolidated rate be apportioned as follows:-
  - Administration—works, loan, education, etc.—60 per cent. of the consolidated rates.
- (2) Filtered and unfiltered water—15 per cent. of the consolidated rates.
- (3) Conservancy and Sanitation—25 per cent. of the Consolidated rates."

was then put and a division taken with the following result:-

#### NOE8-11.

Abdul Aziz Ansari, Jamab Mohamed. Abdul Wahid Sarkar, Janab. Bandyopadhyaya, Sj. Pramatha Nath. Banerji, Dr. Suresh Chandra. Basu, Sj. Hemanta Kumar. Basu, Sj. Jyoli Chowdhury, Sj. Annada Prosad. De, Sj. Kanai Lai. Ghose, Sj. Bimai Comar. Mohamad Rañque, Shaik. Molia Mohammad Abdui Halim, Janab.

#### NOE8-43.

Abdullah, Janab S. M.
Abdus Shokur, Janab.
Banerjee, Sj. Sushil Kumar.
Barman, The Hon'ble Syama Prasad.
Bhattacharyya, Sj. Shyamapada.
Chakravarty, Sj. Satish Chandra.
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath.
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanailal
Dutt-Mazumdar, The Hon'ble Niharendu.
Canguli, Sj. Bepin Behari.
Gayen, Sj. Arabinda
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand.
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab.
Mahammad Sayeed Mia, Janab
Maiti, The Hon'ble Nikunja Behari.
Majumdar, the Hon'ble Bhupati.
Mai, Sj. Iswar Chandra.

Mallick, Sj. Ashutosh.
Mandal, Sj. Annadaprasad.
Mandal, Sj. Bankubehari.
Mandal, Sj. Krishna Prasad.
Mandal, Sj. Umesh Chandra
Mookerji, The Hon'ble Kalipada.
Mudassir Hossain, Janab
Muhammad Qumruddin, Janab.
Murarka Sj. Basantia!
Musarka Sj. Basantia!
Musarka Sj. Basantia!
Musarka Sj. Rajani Kanta.
Pramanik, Sj. Rajani Kanta.
Pramanik, Sj. Rajani Kanta.
Rafiuddin Ahmed, The Hon'ble Dr.
Ricketts, Mrs. E. M.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, Sj. Jajneewar
Roy Sarkar, Sj. Birendra Nath.
Roy Sarkar, Sj. Birendra Nath.
Roy Singh Sarker, Sj. Satish Chandra
Serajuddin Ahammad, Janab
Shamsul Huq, Janab.
Sinha, The Hon'ble Bimal Chandra.

The Ayes being 11 and the Noes 43 the motion was lost.

#### Clause 176.

**Shaikh MOHAMAD RAFIQUE:** Sir, I beg to move that for clause 176 the following be substituted, namely:—

- "176. The percentage referred to in section 175 shall be fixed annually in the manner provided in chapter VIII with reference to the requirements of the Municipal Fund.
- The Corporation shall after the 15th day of December each year make

  a list of undeveloped wards and the percentage of consolidated rates on the annual valuation imposed on such wards shall be half of the rates imposed by the Corporation on other lands and buildings in Calcutta"?

8J. SUSIL KUMAR BANERJEE: Sir, with your permission may I move this amendment?

Mr. SPEAKER: Yes.

8j. 8USIL KUMAR BANERJEE: Sir, I beg to move that in clause 176, in line 1, for the word "percentage" the word "percentages" be substituted.

Shaikh MOHAMAD RAFIQUE: Sir, I think, this amendment Dr. Roy will readily understand. There is no ambiguity about the words. The words are very simple. They are in King's English. I think the sense is also very clear. Sir, the idea is that the Corporation should give some rebate to those premises which are located in undeveloped wards. As I said before, under section 175 as amended owners or inhabitants of premises in undeveloped areas could not get any relief whatsoever. The relief which has been provided in section 175 is for the poor people who can ill afford to spend much and on whom the burden of 22 per cent. or 23 per cent. would be very heavy. Sir, here in this amendment which I have moved I have provided that the Corporation after the 15th of December at a meeting convened by the Councillors under the Mayor shall decide as to which of the wards in the city of Calcutta are undeveloped areas. Sir, I understand the other suberban municipalities are going to be amalgamated with the Calcutta Corporation and so, Sir, this amendment of mine is all the more important. The Corporation shall decide as to which are the areas where all the amenities of life and all the services for which we pay to the Corporation do not exist. After the decision, the Executive Officer of the Corporation shall see that the rates charged to these premises in those wards shall be half of the consolidated rate which has been fixed by the Corporation for that particular area. There is no ambiguity about it and the rate-payers will get rebate in taxes for the services which are denied to them. Sir, if afterwards it is found that the Corporation has been able to supply water, or improve the ward by providing drainage these rebates may be withdrawn. I hope, Sir, Dr. Roy will accept at least this amendment, which is not only fair but just and appropriate.

- 8]. HEMANTA KUMAR BASU: মাননীয় শীকার মহোদয়, রিফক্ সাহেবের পুশুটা ধুরই পুরাতন। দেশবদ্ধ চিত্তরঞ্জন দাস মহাশয় যখন কলিকাতা কর্পোরেশনের প্রথম মেয়র হন, তখন undeveloped area থেকে বহু পুতিনিধি গিয়ে দেশবদ্ধ চিত্তবঞ্জন দাস মহাশয়ের সচ্চে দেখা করেন এবং তাঁর কাছ থেকে এই পুতিশুতি পান বে কলিকাতার নিকটবতী যে সমন্ত undeveloped area পড়ে আছে, যেমন কাশীপুর, চিৎপুর, মানিকতলা ও উল্টাডাঙ্গা, এই সমন্ত ভায়গাওলি শীষ্ট্রই develop করা হবে। এই সমন্ত ভায়গায় ভলের, আলোর এবং drainageএর তাল ব্যবস্থা করা হবে বলা হয়। কিছ, আছা পায় ২৬-২৭ বৎসর হয়ে গেল দেশবদ্ধ চিত্তরঞ্জন দাস মহাশয় পরলোক গয়ন করেছেন, কিছ আছা পয়্য়ভ যে গতর্শবেশ্টই হোক বা কর্পোরেশনই হোক, কেউ কিছু কবেন নি। এই সমন্ত undeveloped areaর জনসাধারণের যে সকল অভিযোগ ছিল তা ঠিক তেমনি একইতাবে রয়েছে। আময়া যদি মানিকতলা, উল্টাডাঙ্গা পুত্তি ভায়গায় দিকে যাই তাহলে দেখতে পার, সেখানকার নর্দমা য়য়লা ছলে পরিপূর্ণ হয়ে নানা রকম রোগের বীজানু চারিদিকে ছড়াচেছ। আময়া যদি statistics নিই, তাহ'লে দেখা যাবে রোগের পরিমান এই সমন্ত ছানে জন্যান্য ভায়গার চেয়ে অনেক পরিমানে বেশী। কলিকাতার উনুততর wardএর অধিবাসীয়া যে সমন্ত হ্মবোগ স্থবিধা পান, যেমন তাল ছল, রাজা, আলো ও drainage; এখানকার অধিবাসীয়া তা কেন পাবে না ? এটা ধুবই মুক্তিসজত কারণ। স্নতরাং রিকেক সাহেব যে সংশোধনী পুস্তাব এনেছেন তা আমি সমর্থন করিছ, এখং আশা করি প্রধান নরী ইহালর এটা বিশেষ করে বিবেচনা করে প্রহণ করবেন।
- 8j. BIMAL COMAR CHOSE: The amendment of my friend Shaikh Mohamad Rafique which was just now rejected and this amendment stand

for a very good principle. Although I agree with the Chief Minister that the previous amendment was not very happily worded, I do not agree with him that he did not understand what even that amendment stood for. What Shaikh Mohamad Rafique had suggested was certain allocation for the different services and if in any ward any of those services did not exist he meant to say or his idea was that those wards should get certain rebates that may be decided upon by the Corporation or the Government. That was the principle involved. Here also he suggests that if an area is undeveloped or rather if any particular ward is undeveloped, then for any service that may not be made available to such wards certain rebates in the consolidated rates should be allowed—it may not be 50 per cent., it may be anything. What I want to say is this that the principle involved appears to me to be sound and if the Government also think so, then they might bring in any amendment legally worded which could be included in the Bill so that this principle might be given effect to. I feel, Sir, also that its existence might have a salutary effect in that the undeveloped areas may have an incentive thereby to be more developed; because, if any rebates were to be allowed or enjoyed by such undeveloped areas then because of these things people might be tempted also to try to develop those areas and the Corporation would also gradually develop certain areas on the principle that where the services are denied the consolidated rates should not be the same as in those areas where all the services exist. That principle appears to be eminently satisfactory and equitable and should receive the consideration of the Government.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I am afraid Mr. Rafique has left an expression which shows the meaning of this amendment of his. He says, well, you have relieved the poorer classes in the undeveloped wards but what about those who pay Rs. 2,000 a month, as he does, in an undeveloped area. I will tell everybody frankly that I have no sympathy for those who can pay Rs. 2,000. Why can't they pay a little more in taxes? Why should we give half relief to those people who pay Rs. 2,000 a month—may be in an undeveloped area? Sir, the principle may be very good but what I may say is that there is one principle that has been accepted namely that, depending upon the valuation the rates should also be low and for the poorer classes of people this should give ample relief to my mind because a piece of land and building which costs Rs. 10,000 or which fetches a rental of Rs. 200 per month in Calcutta will be fetching a rental of say Rs. 50 per month in an undeveloped area and naturally not only will the total valuation be less but the rate also would be less. But, Sir, the other point is that to give effect to the principle enunciated by Mr. Rafique the procedure that will have to be adopted will be very difficult in practice in that every year we shall have to find out what are the areas that are undeveloped and deduct the rates of those areas. Sir, there is no basis for the argument that if you lower the rates to half then it will expedite the development of undeveloped areas. Those who advanced such an argument probably do not know that the development of undeveloped areas does not depend upon the Corporation but it depends upon the Improvement Trust and therefore by lowering the rate it won't give any impulse to the Corporation Councillors to try and expedite the work of the undeveloped areas. Sir, these arguments really do not hold water and I am sorry I cannot accept the amendments.

The motion of Shaikh Mohamad Rafique that for clause 176 the following be substituted, namely:—

"176. The percentage referred to in section 175 shall be fixed annually in the manner provided in Chapter VIII with reference to the

The Corporation shall after the 15th day of December each year make a list of undeveloped wards and the percentage of consolidated rates on the annual valuation imposed on such wards shall be half of the rates imposed by the Corporation on other lands and building in Calcutta'

was put and a division taken with the following result:-

#### AYES-10.

Abdul Aziz Ansari, Janab Mehamed Abdul Wahld Sarkar, Janab. Bandyopadhyaya, Sj. Pramatha Nath. Banerji, Dr. Suresh Chandra. Basu, Sj. Hemanta Kumar. Bhandari, Sj. Charu Chandra Choudhury, Sj. Annada Prosad De, Sj. Kanai Lai Ghese, Sj. Bimai Comar. Mohammad Rafique. Shaikh

#### NOE8-43.

Abdullah, Janab S. M.
Abdus Shokur, Janab.
Eanerjee, Sj. Sushii Kumar.
Barman, The Hon'ble Syama Prasad.
Bhattacharyya, Sj. Shyamapada.
Chakravarty, Sj. Satish Chandra.
Chakravarty, Sj. Satish Chandra.
Chaudhuri, the Hon'ble Rai Harendra
Nath.
Das, Sj. Radha Nath.
Das, Sj. Kanalial.
Dutta-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari.
Gayen, Sj. Arabinda.
Golam Hamidur Rahman, Janab.
Gupta, Sj. J. C.
Haidar, Sj. Kuber Chand.
Khuda Buksh, Janab Md.
Mahammad Kased Ali, Janab.
Maiti, The Hon'ble Nikunja Behari.
Majumdar, The Hon'ble Bhupati.
Mai, Sj. Iswar Chandra.

Mailick, Sj. Ashutceh.
Mandal, Sj. Annadaprasad.
Mandal, Sj. Bankubeharl.
Mandal, Sj. Krishna Prasad.
Mandal, Sj. Umesh Chandra.
Misra, Sj. Sowrindra Mohan.
Mockerji, The Hon'ble Kalipada.
Mudassir Hossain, Janab.
Muhammad Qumruddin, Janab.
Muhammad Qumruddin, Janab.
Naskar, The Hon'ble Hem Chandra.
Panja, The Hon'ble Jadabendra Nath.
Pentony, Mr. L. R.
Pramanik, Sj. Rajani Kanta.
Rafuddin, Ahmed, The Hon'ble Dr.
Ricetts, Mrs. E. M.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, Sj. Jojneswar.
Roy Sarkar, Sj. Birendra Nath.
Roy Singh Sarker, Sj. Satish Chandra.
Sen, The Ron'ble Prafulla Chandra.
Shamsul Huq, Janab.

The Ayes being 10 and the Noes 43, the motion was lost.

The motion of Sj. Sushil Kumar Banerjee that in clause 176, in line 1, for the word "percentage" the word "percentages" be substituted, was then put and agreed to.

The question that clause 176, as amended, was then put and agreed to.

Clause 177.

- 8j. BIMAL COMAR CHOSE: Sir, I beg to move that in the Explanation to clause 177(1), lines 5 and 6, for the words "State Government by notification", the words "Corporation subject to approval by the State Government and published" be substituted.
- 8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 177, in the Explanation to sub-clause (1), in lines 3 and 4, for the words "solely for the purpose of relief of the poor,", the words "solely for the purpose of, relief of the poor," be substituted.
- **Sj. BIMAL COMAR CHOSE:** On a point of order, Sir. Is that an amendment to the clause that has just been moved?

The Hon'ble Dr. BIDHAN CHANDRA ROY: A comma has been added.

- 8j. BIMAL COMAR CHOSE: Sir, where a comma is added, the Secretary has got the power to renumber the clauses and also to insert such commas. My point of order is whether this is really an amendment.
- Mr. SPEAKER: Even if the Secretary is empowered, it may still be admitted as an amendment.
- 8j. BIMAL COMAR CHOSE: Sir, the object of my amendment is quite obvious. This clause envisages the exemption from the consolidated rate if the land and building is used for certain purposes. Now the question is, who will say as to whether the land and building is being used for those purposes? The clause says that it is for the State Government to say as to whether certain land and building is being used for these specific purposes. My amendment says that it should be the Corporation subject to the approval of the State Government. This is a very simple matter, and I believe the Corporation should have been given this power; and as I have been saying so many times, I do not understand why even in small matters the Government, say that the authority must lie with them.

The motion of Sj. Bimal Comar Ghose that in the *Explanation* to clause 177(1), lines 5 and 6, for the words "State Government by notification" the words "Corporation subject to approval by the State Government and published" be substituted, was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in clause 177, in the Explanation to sub-clause (1), in lines 3 and 4, for the words "solely for the purpose of relief of the poor," the words "solely for the purpose of, relief of the poor," be substituted was then put and agreed to.

The question that clause 177, as amended, do stand part of the Bill was then put and agreed to.

#### Clause 178.

**Shaikh MOHAMAD RAFIQUE:** Sir, I beg to move that in clause 178(1), line 6, for the word "ten" the word "fifteen" be substituted.

I further beg to move that in clause 178(2), in lines 3 and 4 after the words "five per cent. of" the following words be inserted, namely:—

"the average purchase value and".

I further beg to move that in clause 178(3), lines 5 and 6 for the words "a reasonable amount to be deducted on account of depreciation, if any," the words "three per cent. of the purchase value per year to be deducted on account of depreciation" be substituted.

I further beg to move that in the proviso (ii) to clause 178, in lines 7-12 for the words beginning with "subject in the case of a lift" and ending with "attendance on such lift" the words "subject in the case of a lift, electric motor pump, electric fans, refrigerators, radios, air conditioning units, furniture and other fittings, to such deduction from valuation as may be prescribed by rules made by the Corporation on account of the cost of repairs to, maintenance of and attendance on and electrical energy of, articles mentioned above" be substituted.

Mr. SPEAKER: I find that some of your amendments require redrafting. They have been sent to you. You just go through them. In the meantime, I am having other amendments moved. Please see whether those amendments should be moved instead of the amendments that you have moved.

Sj. HEMANTA KUMAR BAŞU: Sir, I beg to move that to clause 178(1) the words "subject to the provisions of West Bengal Premises Rent Control Act" be added.

I further beg to move that in clause 178(3), line 5, for the words "at the time of assessment" the words "at the time of erection and or subject to provisions of West Bengal Premises Rent Control Act" be substituted.

I further beg to move that in clause 178(3), line 5, for the word "assessment" the word "erection" be substituted.

I further beg to move that in clause 178(3), in line 6, after the words "if any", the words "and subject to provisions of West Bengal Premises Rent Control Act" be inserted.

- **8].** BIMAL COMAR CHOSE: Sir, I beg to move that the following proviso be added to clause 178, sub-clause (1), namely:—
  - "Provided that in respect of any land or building to which the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950, applies the annual value thereof shall not exceed the annual rent calculated on the basis of the standard rent as defined in the said Act."
- 8]. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 178, line 21, for the words "Provided as follows:—" the following be substituted, namely:—
  - "(4) The provisions of sub-sections (1), (2), and (3) shall be subject to the following provisos, namely:—"

I further beg to move that in clause 178, in proviso (iii) in line 3, after the words "lands which have been left vacant" the words "for the purpose of giving access to any hut in the bustee or" be inserted.

Mr. SPEAKER: Mr. Rafique, have you seen the changes in the draft? Shaikh MOHAMAD RAFIQUE: Yes, Sir, I think they are all right.
Mr. SPEAKER: Then I take it that they are moved in that form.

Shaikh MOHAMAD RAFIQUE: This amendment is regarding reduction of 10 per cent. for repairs which the Act contemplates would be given on the annual valuation. At present the Corporation allows 10 per cent. for repairs, 10 per cent. for vacancies and 10 per cent. if the taxes are paid by the owner of a premises though in the act only 10 per cent. is provided, by executive order 30 per cent. rebates is allowed—10 per cent. is paid because it helps the Corporation to collect both shares of the tax from the owner and they have not to run after the occupier who may be more than one. 10 per cent. is allowed for vacancies because in a house there may be 20 flats or more. In a modern mansion there are many flats. If some flats fall vacant in a premises, the Corporation, as it has assessed the entire house as a unit, does not allow any remission for vacancy. Formerly, the Corporation used to number each of these flats separately, and the owner could earn remission in taxes on account of one flat falling vacant, but recently the Corporation is numbering each premises as one unit and if a certain portion of the house falls vacant, no remission is given on account of vacancy.

Sir, I have moved that in case of repairs, the percentage be increased from 10 to 15 because of the high wages and cost of material.

I have not said that 20 per cent. rebate in valuation be allowed with regard to vacancies or with regard to taxes if the owner pays both the

occupier's and the owner's share. But this 15 per cent. Sir, I hope Government will accept because this is not a very high percentage and is much less than what the owner of a premises has to spend for repairs nowadays. With regard to the second amendment—

Janeb SHAMSUL HUQ: Sir, it is prayer time now.

Mr. SPEAKER: Yes.

(At this stage the House was adojurned for half an hour.)

(After adjournment.)

Shaikh MOHAMAD RAFIQUE: As I was mentioning, Sir, the Corporation allows 10 per cent. for vacancies, 10 per cent. for repair and another 10 per cent. for payment of taxes if they are paid by the owner of the house. Here I find that the Government has only allowed 10 per cent, for the cost of repair and for all other expenses necessary to maintain the building in a state, to command high rent nothing has been allowed. Sir, I will come to the clauses which deal with deduction on account of the amenities which a landlord has to provide to fetch higher rent. For instance, a building which is a four-storeyed building but which has not got an electric pump or which has not got a lift will not fetch the same rent which a building which has got an electric lift or a motor pump will fetch. But no provision has been made here that any deduction whatsoever shall be allowed on account of these facilities or amenities provided in the premises. Similarly, Sir, there are flats in Calcutta which have got electric fans fitted into the premises, but no deduction is contemplated here in this section for such addition, and the result is that since there is no such deduction the landlords will not provide electric pumps or fans or lights in the staircase in future because they would not earn any rebate on that account. I have only increased the ten per cent. which is meant for repair to 15 per cent. because I feel, as I have said so already, that the cost of repair is much higher than 10 per cent. of the monthly or annual rent. Dr. Roy might say that the owners of houses do not repair their houses, nowadays but under the Rent Control Act provision has been made, for compulsory repair and if a tenant is not satisfied he can go to the Rent Controller and compel the landlord to repair the premises once a year.

Then, Sir, the second amendment deals with the valuation of the land and the premises. In all cases where a house is not occupied by a tenant and the owner lives in the house, the basis of taking annual valuation is provided in clause 178(2). It says: "If the gross annual rent of any land not ordinarily let cannot be easily estimated, the gross annual rent of the land for the purpose of sub-section (I) shall be deemed to be five per cent. of the estimated present value of the land." Sir, this is a great jabardasti, if I am permitted to say so. If I had purchased a land 20 years back and the value of that land has gone up in 1951 and unfortunately the period of valuation has also fallen in 1951 I am asked to pay tax on the value of the land as at present exists. This tax is fixed for a period of six years. The value of the land may go down after one year, but the municipal authority will base their valuation on the price of land which it fetches today. By my amendment I have proposed that in taking the value of the land he shall take an average value of the land, i.e., the value of the land which existed at the time when I purchased the property and the value of the land as it exists today. That will be some sort of a relief to the owner of the land. The owner lives on the land and his income is only from a portion of land let out. The rent is also controlled. In some cases his meagre

salary and the free lodging that he gets from the land is only sufficient to meet both ends. Any additional burden will break his back. I hope the Government will accept my amendment which is very reasonable.

With regard to the amendment, Sir, great difficulty is confronted so far as the Deputy Executive Officer or the officers appointed for fixing the valuation of the land are concerned. They experience great difficulty to find out what the actual value of the land is in a particular locality. Unless there has been a recent sale in the locality it is very difficult to find out if the value which the assessor puts is the real value which exists at that particular period of time. This amendment of mine is midway between these two, and if the Government accept it, it will give some relief to the owner of the land.

My third amendment concerns the valuation of buildings. In that case also, the Corporation under section 178 takes the present value of the building. A building may be 50 or 30 or 20 years old, but they fix the value on the basis of the price of the present day construction. That is very erroneous. The value of a building must be the present value less depreciation for the period of its existence. That will be the fair value of the premises today. But, Sir, the depreciation which the officers who are appointed to fix this valuation give is very very low. They give only quarter per cent. per year since they take the life of a building to be 400 years. A good house, if it is not repaired substantially periodically, will not last more than 50 years.

So, Sir, I have suggested that in order to arrive at a fair value and in order that the owner of the land is not very hard hit, he should be allowed depreciation at the rate of 3 per cent. estimated on the present market value of the land. If the Government thinks that 3 per cent. is very heavy, they can move suitable amendment but it should not be left to the assessor to find out what will be the assessment, because some assessors are very generous while fixing the valuation while there are others who allow only 1 per cent. Therefore there should be some sort of direction in the Statute so that there may be a uniform percentage in the matter of depreciation. These are my three amendments which I commend to the attention of the Chief Minister and I hope he will agree to them.

There is another amendment and it is a very important one. This is with regard to the allowance on account of various fittings. As I have already said electric motor pumps, lift, electric fans, refrigerators, radios, air conditioning units, furniture and other fittings do not form part of premises but these fittings are put in for the purpose of securing higher rents for a flat. Therefore unless the Corporation give deductions on account of these fittings nobody will fix in these fittings in their premises and ultimately the Corporation shall be the loser on total valuation. Of course if no provision is made the owner of the premises might charge separate rent for these units, but I think, Sir, it would be good for the Corporation if they allow a certain deduction on account of these fittings from valuation and impose taxes on the consolidated rents derived from these premises. I hope, Sir, Dr. Roy must have seen the amendments and he will accept them.

8j. HEMANTA KUMAR BASU: এই amendmentগুলির উদ্দেশ্য—রফিন্ট নাহেব বা বলেছেন—কেণ্ডলি satisfied হবে, বদি আলার এই amendment এবানে লাগিরে দেওরা হর। Subject to the West Bengal Premises Rent Control Act, এটা বদি গোড়াতে, 178 clauseএর গোড়াতে বলিরে দেওরা হর। রফিন্ট নাহেব বে বলছেন বে gross amount কে ঠিন্ট করনে—কে সবকই West Bengal Premises Rent Control Act ববে provision করা আছে।

**Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in clause 178(3), lines 5 and 6, for the words "a reasonable amount" the words one *per cent*. per year" be substituted.

স্যার, আনার amendment এর নানে অতি সরল। এখানে বলা হরেছে বে building এর দান assess করবার সময় deduction করতে হবে। Deduction কত হবে ? Claused বলা হরেছে reasonable amount. এই reasonableটা কি ,কে ঠিক করবে ? What is reasonable ? একজনের যা reasonable তা অন্যার কাছে unreasonable. কাজে কাজেই এই শব্দটা আইনের ভিতর পেওরা অত্যন্ত বেআইনি। আনার মনে হয় actual practiced one per cent. deduct করতে হবে per year due to depreciation. এখালে reasonable শব্দটা ব্যবহার করলে একটা vagueness থৈকে বাম। সেই জন্যই আনি Dr. Royকে কলছি যাহোক একটা ঠিক করে দিন, তাহলে জিনিষটা পরিচকার হয় এবং Corporation ঠিক করবে, না Commissioner ঠিক করবেন, না Mayor ঠিক করবেন এই সব প্রশু খাকবে না। যদি one per cent. সক্ষত বনে হয় তবে তাই ঠিক কোরে দিন। Dr. Roy যা reasonable মনে করেন তাই ঠিক কোরে দিন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I can quite appreciate Mr. Rafique's arguments which have been put forward in support of his different amendments. After all he owns many houses, himself and his sons (Shaikh Mohamad Rafique: I do not own a single house in Calcutta). I stand corrected. Therefore he is anxious to deduct as much as possible under various heads. Sir, he has tried to say that under the present system you allow 10 per cent. for repairs and also you allow 10 per cent. for vacancy remission, and so on but he forgets that the present Act also is practically a word for word reproduction and if he had just looked through section 204 he would have found that vacancy remission is provided for there but he has tried to bring in too many things to confuse the real issue. He says that this 10 per cent for repairs is very small because the repairing costs have gone high. Yes, but the rent has also gone high. So the land-owner gets more rent now for the same premises for which he used to get less rent before and the 10 per cent. of higher rent would be much more than 10 per cent. of the old lower rate. Therefore we do not think that we have done anything wrong in providing 10 per cent. for repairs. Sir, with regard to his say that allowance should be made for pumps and motors and so on, when you fix the rent then you do take into account all these conveniences and therefore you get a higher rent but you want deduction in the matter of tax. That is not a fair proposition. I may say at once that with regard to Mr. Bimal Ghose's point, we accept his amendment No. 223 A, namely, the question of rent will be determined on the basis of the standard rent. His provise says: "Provided that in respect of any land or building to which the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950, applies the annual value thereof shall not exceed the annual rent calculated on the basis of the standard rent as defined in the said Act."

Sir, today here in this Bill we have given one month for arriving at the valuation of a property. Mr. Bimal Comar Ghose says that that valuation should not be greater than the valuation arrived at according to the provisions of the Rent Control Act. We did not provide it before because we thought that the Premises Rent Control Act being in existence would be operative. I now see the force of the arguments of Sj. Ghose and I want

to make it clear that wherever there is a difference between the valuation as provided for in this Act and the valuation as calculated under the provisions of the Rent Control Act, the Rent Control Act should have precedence. Therefore I accept his amendment, and having accepted his amendment all the provisions we ask for, namely, the question of lift, frigidaire and so on—they all come in when you are calculating the basis of the rental under the Rent Control Act. Sir, I cannot accept any of the amendments except that of Mr. Bimal Comar Ghose—223A—and of course of Mr. Sushil Kunar Banerjee.

The motion of Shaikh Mohamad Rafique that in clause 178(1), line 6, for the word "ten" the word "fifteen" be substituted, was then put and lost.

The motion of Sj. Hemanta Kumar Basu that to clause 178(1) the words "subject to the provisions of West Bengal Premises Rent Control Act" be added, was then put and lost.

The motion of Sj. Bimal Comar Ghose that the following proviso be added to clause 178, sub-clause (1), namely:—

"Provided that in respect of any land or building to which the West Bengal Premises Rent Control (Temporary Provisions) Act, 1950, applies the annual value thereof shall not exceed the annual rent calculated on the basis of the standard rent as defined in the said Act.", was then put and agreed to.

The motion of Shaikh Mohamad Rafique that in clause 178(2), in lines 3 and 4, after the words "five per cent. of" the words "the average purchase value and" be inserted, was then put and lost.

The motion of Sj. Hemanta Kumar Basu that in clause 178(3), line 5, for the words "at the time of assessment" the words "at the time of erection and/or subject to provisions of West Bengal Premises Rent Control Act" be substituted, was then put and lost.

The motion of Sj. Hemanta Kumar Basu that in clause 178(3), line 5, for the words "assessment" the word "erection" be substituted, was then put and lost.

The motion of Shaikh Mohamad Rafique that in clause 178(3), lines 5 and 6, for the words "a reasonable amount to be deducted on account of depreciation, if any," the words "three per cent. of the purchase value per year to be deducted on account of depreciation" be substituted, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that in clause 178(3), lines 5 and 6, for the words "a reasonable amount" the words "one per cent. per year" be substituted, was then put and lost.

The motion of Sj. Hemanta Kumar Basu that in clause 178(3), in line 6, after the words "if any", the words "and subject to provisions of West Bengal Premises Rent Control Act" be inserted, was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in clause 178, line 21, for the words "Provided as follows:—" the following be substituted, namely:—

"(4) The provisions of sub-sections (1), (2) and (3) shall be subject to the following provisos, namely:—."

was then put and agreed to. .

The motion of Shaikh Mohamad Rafique that in proviso (ii) to clause 178, lines 7 to 12, for the words beginning with "subject in the case of a lift" and ending with "attendance on, such lift" the words "subject in the case of a lift, electric motor pump, electric fans, refrigerators, radios, air conditioning units, furniture and other fittings, to such deduction from valuation as may be prescribed by rules made by the Corporation on account of the cost of repairs to, maintenance of and attendance on and electrical energy of, articles mentioned above" be substituted, was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in clause 178, in the proviso (iii) in line 3, after the words "lands which have been left vacant" the words "for the purpose of giving access to any hut in the bustee or" be inserted, was then put and agreed to.

The question that clause 178, as amended, do stand part of the Bill was then put and agreed to.

#### Clauses 179-181.

The question that clauses 179 to 181 do stand part of the Bill was then put and agreed to.

#### Clause 182.

- Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 182(2), lines 2 to 4, for the words beginning with "State Government" and ending with "Gazette", the words "Corporation so directs, by such agency as it may" be substituted.
- **8j. BIMAL COMAR CHOSE:** Sir, I beg to move that in clause 182(3)(d), line 7, for the words "as soon as practicable" the words "within thirty days" be substituted.

One word for my amendment, Sir. My amendment is self-explanatory. Here the Commissioner is asked to do certain things on certain contingencies happening and it says that the Commissioner shall do so "as soon as practicable". I suggest that instead of these vague words some definite time-limit should be fixed. But if Government thinks 45 or 60 days to be adequate I have no objection to that. With regard to the expression "as soon as practicable", I am afraid the Commissioner may not be induced to take any action for a very long time while some relief should be given under this clause to the owner or occupier if certain things happen. I therefore suggest that Government may fix a definite time-limit under clause 182, sub-clause (3)(d).

Dr. SURESH CHANDRA BANERJI: মি: স্পীকার স্যার, আমার amendment সহজে বিশেষ কিছু বলবার প্রোজন হয় না। General valuation Commissioner করবেন, এবং এই claused লেখা আছে State Government যদি ইচছা করে তাহলে বলে দেবে general valuation হোক এবং কে করবে।

আমি শুধু State Governmentএর জায়গায় Corporation, এই wordটি use করতে চাচিছ। General valuation either Commissioner করবেন কিয়া Corporation করবেন। যদি Corporation ইচছা করে, ভাহনে বনে দেবে কে এই general valuation করবে।

षावि षाना कवि षात्राव amendmentहै। গভৰ্ণবেণ্ট বেনে নেৰেন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with regard to Mr. Bimal Comar Ghose's proposition if he had read this particular section. he may have found that in order to give effect to it the Commissioner shall, as soon as practicable, cause it to be revalued in accordance with such rules as may be made by the Standing Finance Committee. This

particular addition has been made by the Select Committee in order to obviate the difficulty which Mr. Ghose feels, namely, that by rules they will indicate what the period would be—may be 20 days, may be 30 days and the Standing Finance Committee must be the best judge as to what the period should be and they can alter this.

In regard to Dr. Banerji's proposition, I have explained to the House many times before that the idea is that the assessment should not be merely by experts of the Corporation but it should be by a body of experts which the Government in consultation with the Corporation may appoint from time to time. Therefore I cannot accept that.

The motion of Dr. Suresh Chandra Banerji that in clause 182(2), lines 2 to 4, for the words beginning with "State Government" and ending with "Gazette," the words "Corporation so directs, by such agency as it may" be substituted, was then put and lost.

The motion of Sj. Bimal Comar Ghose that in clause 182(3)(d), line 7, for the words "as soon as practicable" the words "within thirty days" be substituted, was then put and lost.

The question that clause 182 do stand part of the Bill was then put and agreed to.

# Clauses 183 to 188.

The question that clauses 183 to 188 do stand part of the Bill was then put and agreed to.

#### Clause 189.

The question that clause 189 do stand part of the Bill was then put and agreed to.

## Clause 190.

**8]. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that in clause 190, line 5, for the words "owner or occupier" the words "owner and the occupier" be substituted.

The motion was then put and agreed to.

The question that clause 190, as amended, do stand part of the Bill was then put and agreed to.

#### Clause 191.

The question that clause 191 do stand part of the Bill was then put and agreed to.

# Clause 192.

**8J. SUSHIL KUMAR BANERJEE:** I beg to move that at the end of sub-clause (3) of clause 192, the following be added, namely:—

"A copy of the order shall be sent by registered post within seven days from the date thereof to every owner and occupier of the land or building who is affected by it."

The motion was then put and agreed to.

The question that clause 192, as amended, do stand part of the Bill was then put and agreed to.

# Clause 193.

8j. SUSHIL KUMAR BANERJEE: I beg to move that in sub-clause (2) of clause 193, in line 2, for the words "thirty days", the words "forty-five days" be substituted.

The motion was then put and agreed to.

The question that clause 193, as amended, do stand part of the Bill was then put and agreed to.

## Clauses 194 to 196.

The question that clauses 194 to 196 do stand part of the Bill was then put and agreed to.

## Clause 197.

[Amendment No. 239.] **Sj. SUSHIL KUMAR BANERJEE:** I beg to move that to sub-clause (1) of clause 197 the following further proviso be added, namely:—

"Provided furthen that such application shall be disposed of within one year from the date of its receipt."

**Dr. SURESH CHANDRA BANERJI:** Sir, I beg to move that in the second proviso to sub-clause (I) of clause 197 as proposed in amendment No. 239 by Sj. Sushil Kumar Banerjee, in line 2, for the word "year" the word "month" be substituted.

স্যার, স্থশীল ৰাবু যে amendment move করেছেন তাতে বলা হয়েছে যে যদি কেউ owner বা occupier তার নাম Assessment Book এ পূবেশ করাতে চায়, তাহ'লে তাকে দরখান্ত করতে হবে এবং স্থশীলবাব এ কথাও বলেছেন যে এই সমস্ত দরখান্ত এক বংগারের মধ্যে dispose of করতে হবে।

স্যার, একটা নাম Assessment Bookএ উঠিবে কি না উঠবে, এবং তার জন্য যে দরখান্ত তাকে বিবেচনা করতে এক বংসর সময় লেগে যাবে। এই সময়টা আমার মতে অত্যন্ত বেশী এবং আমি মনে করি এক মাস সময়ই যথেষ্ট। সেই জন্য আমার amendment যা move করেছি, তাতে বলা হয়েছে যে এক বংসরের জায়গায় এক মাস করা হোক। আমি আশা কবি, আমার amendmentটা সরকার প্রহণ করে নেবেন।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, the difficulty is that we would prefer to do it as quickly as possible. Look at the language of the section. It says that "the Commissioner shall, after giving the parties interested an opportunity of being heard, unless there is sufficient reason to refuse such application, cause such name to be entered in the assessment-book". We all know what happens whenever there are various parties to a disputed property. One man goes there and says "change my name"; he has got to give notice. A man must give notice in proper time. Those who know the Corporation affairs as well as the way in which these changes take place will know that one year is not even too much. I think one month cannot be accepted.

The motion of Dr. Suresh Chandra Banerji that in the second proviso to sub-clause (1) of clause 197 as proposed in amendment No. 239 by Sj. Sushil Kumar Banerjee, in line 2, for the word "year" the word "month" be substituted, was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that to sub-clause (1) of clause 197 the following further proviso be added, namely:—

"Provided further that such application shall be disposed of within one year from the date of its receipt."

was then put and agreed to.

The question that clause 197, as amended, do stand part of the Bill was then put and agreed to.

# Clause 198.

The question that clause 198 do stand part of the Bill was then put and agreed to.

# New clause 198A.

Shaikh MOHAMAD RAFIQUE: Sir, with your permission I want to move this amendment in an amended form.

Mr. SPEAKER: Yes.

**Shaikh MOHAMAD RAFIQUE:** Sir, I beg to move that after clause 198 the following new clause be inserted, namely:—

"198A. Notwithstanding anything contained in section 194, the Commissioner shall at any time after 12 months from the date of valuation under section 192 amend the Assessment Book for reason to be recorded in writing by reducing the amount of the valuation of any premises or land where in his opinion valuation of such premises or land on the date of application of the owner, occupier or lessee of the premises or land was substantially lower than the valuation appearing in the Assessment Book. Such reduction in valuation shall take effect from the date of the receipt of the application."

Sir, this section 198 corresponds to section 146 of the present Calcutta Municipal Act. It says "Notwithstanding anything contained in section 194, the Commissioner may at any time amend the assessment-book for reasons to be recorded in writing." Sir, the Commissioner is authorised to amend the assessment-book for three purposes: (1) by inserting therein the name of any person whose name ought, in his opinion, to be so inserted, or by inserting any land or building which is, in his opinion, liable to the consolidated rate, etc. That is only a mutation of the name; and secondly by striking out the name of any person, or by striking out any land or building which is, in his opinion, not liable to the consolidated rate, etc. This, I think, is in respect of premises or land or houses belonging to the charitable institutions or institutions which are exempted from the payment of consolidated rate; and then by increasing the amount of the valuation of any premises where, in his opinion, such premises at the time of the last general valuation, has been substantially undervalued, etc. Sir, this section 198 gives power to the Commissioner to enhance the valuation. My amendment is that the Commissioner should also be given power to reduce the valuation. The valuation of a land or a premises is fixed for a period of six years and at a rent which the Commissioner or the Executive Officer who is in charge of the valuation thinks fit. It may be quite right now-a-days when the rents of premises or the value of land are very high and nobody knows when the depreciation will set in. If a premises is assessed at high valuation today and after 12 months or more it is found that the rents have gone down, then the owner of the land or the house should be allowed to make an application to the Commissioner to have the valuation reduced, and if the Corporation is satisfied that the rents have gone down the valuation should be reduced. This is only fair that whereas on the one hand the Commissioner is given power to enhance the valuation, he should also be given power on the other hand to reduce it, if he finds that the reduction is warranted. I hope Government will accept this amendment. I will welcome the Government to show us the clause where provision exists whereby a reduction can be allowed

by the Commissioner in cases where the rent of the building or value of the land is found to have gone down. The valuation is for a period of six years and a man should not be penalised to pay higher taxes for this long term of period if his income is less than what has been calculated by the Commissioner. This is a very reasonable amendment and unless Government want to shut out the doors to the people and want to rob them of their money, they should accept this amendment.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, the Government is not robbing the money of anybody. He has made a great mistake. After our acceptance of the amendment of Mr. Bimal Ghose which says that the Rent Control Act will apply in such cases, he should not have raised this point. If there is a property, the valuation of which seems to have gone down, the best thing for the owner would be to go to the Rent Controller and get the valuation lowered by him, and the Corporation will have to accept that. I do not think this motion is at all needed at the present moment.

The motion of Shaikh Mohamad Rafique that after clause 198 the following new clause be inserted, namely:—

"198A. Notwithstanding anything contained in section 194, the Commissioner shall at any time after 12 months from the date of valuation under section 192 amend the assessment book for reason to be recorded in writing by reducing the amount of the valuation of any premises or land where in his opinion valuation of such premises or land on the date of application of the owner occupier or lessee of the premises or land was substantially lower than the valuation appearing in the Assessment Book. Such reduction in valuation shall take effect from the date of the receipt of the application."

was then put and lost.

# Clauses 199 and 200.

The question that clauses 199 and 200 do stand part of the Bill was then put and agreed to.

#### Clause 201.

8]. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 201, in lines 4 and 5, for the words "April", "July", "October" and "January" the words "May", "August", "November" and "February" be respectively substituted.

The motion was then put and agreed to.

The question that clause 201, as amended, do stand part of the Bill was then put and agreed to.

# Clauses 202 and 203.

The question that clauses 202 and 203 do stand part of the Bill was then put and agreed to.

#### Clause 204.

Shaikh MOHAMAD RAFIQUE: Sir, I beg to move that in clause 204, line 1, for the words "annual valuation" the word "value" be substituted.

Sir, I also beg to move that in clause 204, in line 2, after the word "rupees" the words "per cottah" be inserted.

Sir, I further beg to move that in clause 204, line 4, for the word "sixty" the word "thirty" be substituted.

Shakh MOHAMAD RAFIQUE: Sir, I beg to move that to the proviso to clause 204, the words "for the previous quarter" be added at the end.

8]. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in the proviso to clause 204, in lines 1 and 2, for the words "if and only when" the words "only if" be substituted.

I also move that to the provisor to clause 204 the words "on the date the written notice is given" be added at the end.

Shaikh MOHAMAD RAFIQUE: Sir, this clause says "When any land the annual valuation of which does not exceed Rs. 10,000 remains vacant, then in that case remission will be given". My motion is that if any land the annual valuation of which exceeds Rs. 10,000 remains vacant remission should be given. I do not know if the intention of Government is that no land should remain vacant and people should construct houses on the land, or pay higher taxes, but then why limit the valuation up to Rs. 10,000. This is a most unfair proposition.

My second amendment is that if a house or land remains vacant then the Corporation will take cognisance of it. I have, moved that instead of 60 days, it should be 30 days. If my house falls vacant and I immediately send notice to the Corporation for remission, why should I be made to lose remission of taxes for 60 days when I am not getting any rent for that period? I think it will be a great hardship if 60 days are allowed and the owner of the house does not get any remission of taxes for that period. I have also tried to show that there should be no discrimination between houses and lands in respect of remission. If my amendment is accepted Corporation will get 30 days' tax on vacant land and houses.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, so far as the Government is concerned they are definitely of opinion that there should be no land lying vacant in Calcutta. I should be very happy to see that no land in this city is kept vacant in view of the great paucity of accommodation in Calcutta. There should be a law to take every such vacant land for the sake of the people of Calcutta. Therefore we should not encourage people to keep their lands vacant and get remission on account of them. So, I oppose the motion.

The motion of Shaikh Mohamad Rafique that in clause 204, line 1, for the words "annual valuation" the word "value" be substituted, was then put and lost.

The motion of Shaikh Mohamad Rafique that in clause 204, in line 2, after the word "rupees" the words "per cottah" be inserted, was then put and lost.

The motion of Shaikh Mohamad Rafique that in clause 204, line 4, for the word "sixty" the word "thirty" be substituted, was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in the proviso to clause 204, in lines 1 and 2, for the words "if and only when" the words "only if" be substituted, was then put and agreed to.

The motion of Sj. Sushil Kumar Banerjee that to the proviso to clause 204, the words "on the date the written notice is given" be added at the end, was then put and agreed to.

The motion of Sj. Sushil Kumar Banerjee that to the provise to clause 204, the words "for the previous quarter" be added at the end, was then put and lost.

The question that clause 204 as amended do stand part of the Bill was then put and agreed to.

#### Clause 205.

The question that clause 205 do stand part of the Bill was then put and agreed to.

# Clause 206.

The question that clause 206 do stand part of the Bill was then put and agreed to.

## Clause 207.

8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 207, in line 2, for the words "within one year" the words "within two years" be substituted.

The motion was then put and agreed to.

The question that clause 207 as amended do stand part of the Bill was then put and agreed to.

## Clauses 208 and 209.

The question that clauses 208 and 209 do stand part of the Bill was then put and agreed to.

#### Clause 210.

**Shaikh MOHAMAD RAFIQUE:** Sir, I beg to move that to clause 210, the following proviso be added, namely:—

"Provided that the owner will not be liable for the entire consolidated rates if the premises is a leasehold property".

Sir, this amendment is sought to be moved that in case where the property is a leasehold property on long lease, the taxes should be realised from the tenant. In a leasehold property the taxes are paid by the lessee and it will be a great hardship if the owner of the property is made to pay the taxes. He cannot realise the tax from the lessee. It is a small thing and I think Dr. Roy will be in a position to appreciate the difficulties of the lessor because he knows very well that the lessor who leases out the property on a long lease does not include the taxes in the rent and therefore the lessee should pay the taxes. I am just suggesting that Government should accept my amendment and realise the taxes from the lessee who is in possession and not from the lessor.

The Hon'ble Dr. BIDHAN CHANDRA ROY: In the first place the word "owner" according to definition includes the man who holds the lease and the second point is that there is a provision in a subsequent section that if there is a contract between the lessee and the lessor, then the lessor has to pay and he can recover it from the lessee. So I do not think we need bother with this question. I appose the amendment.

The motion of Shaikh Mohamad Rafique that in clause 210, the following proviso be added, namely:—

"Provided that the owner will not be liable for the entire consolidated rates if the premises is a leasehold property."

was then put and lost.

The question that clause 210 do stand part of the Bill was then put and agreed to.

# Clause 211.

The question that clause 211 do stand part of the Bill was then put and agreed to.

#### Clause 212.

Shaikh MCHAMAD RAFIQUE: Sir, I beg to move that to clause 212(I), the following further proviso be added, namely:—

"Provided further that the owner will not be liable for the taxes if the premises or land is a leasehold property.",

Sir, this is in respect of the bustee land and it is unfortunate that so far as the bustee land is concerned, the bustee owner is not to pay the taxes whereas the taxes are imposed on the huts which he is owning or occupying. In the case of leasehold property the owner, of course, gets a rent from the man who erects the huts on the land. So I think it is quite fair that he should be made to pay the taxes directly because it happens that such middlemen never pay the rent regularly and that therefore if the owner is made to pay the taxes, it would be a great hardship on him.

The Hon'ble Dr. BIDHAN CHANDRA ROY: The word "owner" means the person who receives the rent. So if the middleman, if he is paying the rent, is the owner and he would be made to pay the taxes.

The motion of Shaikh Mohamad Rafique that to clause 212(1), the following further proviso be added, namely:—

"Provided further that the owner will not be liable for the taxes if the premises or land is a leasehold property.",

was then put and lost.

The question that clause 212 do stand part of the Bill was then put and agreed to.

#### Clauses 213-234.

The question that clauses 213 to 234 do stand part of the Bill was then put and agreed to.

### Clause 235.

**3]. BIMAL COMAR CHOSE:** Sir, I beg to move that the proviso to clause 235(I) be omitted.

Sir, clause 235 relates to fees payable for registration of carts, and carts which are the property of Government and of the Corporation of Calcutta and of other municipalities are exempted. Of course, this provision is also there in the present Act. But I do not understand why the carts which are the property of Government should be exempted. Sir, I do not find what the reason is behind exempting carts belonging to Government. If other carts have to pay, why should not the carts belonging to Government be also made to pay the fees that would be levied on similar other carts?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, the reason is quite simple. Both the Government and the Corporation maintain carts for public purposes whereas the carts that we want to assess are those where the owners of the carts make a profit out of their using those carts. Therefore the Government and the Corporation and other municipalities and public bodies are exempted from the payment of this tax.

The motion of Sj. Bimal Comar Ghose that the proviso to clause 235(1) be omitted, was then put and lost.

The question that clause 235 do stand part of the Bill was then put and agreed to.

#### Clause 236.

The question that clause 236 do stand part of the Bill was then put and agreed to.

#### Clause 237.

8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in subclause (3) of clause 237, in lines 3 and 4, for the words "within a period of sixty days" the words "within a period of ninety days" be substituted.

The motion was then put and agreed to.

The question that clause 237, as amended, do stand part of the Bill was then put and agreed to.

#### Clause 238.

8]. 8USHIL KUMAR BANERJEE: Sir, I beg to move that to subclause (4) of clause 238, the words "as may be prescribed by the Corporation by rules in this behalf" be added at the end.

The motion was then put and agreed to.

The question that clause 238, as amended, do stand part of the Bill was then put and agreed to.

#### Clause 238A.

- 8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 238A, in line 4, for the words "in any place whether public or private" the words "visible from a public street or other public place" be substituted.
- 8j. HEMANTA KUMAR BASU: নাননীয় স্পীকার মহোলয়, এই আইনে গারীব ছোটঝাট ব্যবসাদারদের আমি এখানে বড় বড় ব্যবসায়ীদের কথা বলছি না যাদের অবস্থা এমনিডেই অত্যন্ত থারাপ হয়ে পড়েছে, তাদের পক্ষে ব্যবসা চালান আরে। কঠিনতর হয়ে পড়েছে। নানা রকম tax এই যেমন Sales Tax ইত্যাদি অনেক রকম tax আগের থেকেই আছে। আবার যদি নতুন করে এই রকম একটা আইন করা হয়, তাহলে ছোট খাটো ব্যবসায়ীরা ধারা সামান্য সামান্য রকমের advertisement কোরে ও signboard দিয়ে ক্রেডাসাধারদের গৃষ্ট আকর্ষণ কোরে কোন মতে জীবিকা নির্বাহ করে, তাদের অবস্থা যে কি হবে তা সহজেই অনুমেয় । বড় বড় ব্যবসায়ীদের উপর বড়বুসী tax হোক তাতে কারোরই আপত্তি থাকবে না। আমি নিজের চোধে দেখেছি হওড়া এবং কলকাভার চারদিকে দর্ঘাত্তিবরা ছোট খাট দোকান কোরে কোন রকমে দিনাতিপাত করছে। অনেক জারগার 50 per cent. লোকান উঠে গিয়েছে। কারণ লোকের ক্রম ক্ষমতা ক্রমণ: কমে যাচেছ। ছোট খাটো কারাবার কোরেই যাদের দিন চলে তাদের যদি signboard রাখলেই tax দিতে হয় তাহলে গারীবের উপর অত্যন্ত অত্যাচার করা হবে। এবং এই অবস্থায় তাদের জীবনধারণ করা দুক্র হয়ে পড়বে, সেদিক থেকে বিবেচনা কোরে এই clausear বিরোধিতা করে বলছি এটা পাশ হওয়া উচিত নয়।

The Hon'ble Dr. BIDHAN CHANDRA ROY: My friend Mr. Hemanta Basu has not read the whole section. The section says, "subject to such exemptions as the Corporation may prescribe by rules". Therefore I hope the Corporation will look after the smaller people and only tax the bigger people, but that is a thing which the future Corporation should decide.

# Dr. SURESH CHANDRA BANERJI: আশা করেন কিছ কাজে হবে বি:

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not know what the Corporation will decide. Let the Corporation decide.

- 8]. J. C. GUPTA: Mr. Deputy Speaker, there is another point also. If you look at 238E, "the provisions of sections 238A to 238D shall not apply to any advertisement which—
  - (a) relates to a public meeting, or.....etc.: or
  - (b) is exhibited within the window of any building if the advertisement relates to trade or business carried on in the building; or
  - (c) relates to the trade or business carried on within the land or building upon or over which such advertisement is exhibited or to any sale or letting of such land or building......etc."

Therefore the clause mentions the exemptions lists in some cases.

The motion of Sj. Sushil Kumar Banerjee that in clause 238A, in line 4, for the words "in any place whether public or private" the words "visible from a public street or other public place" be substituted was then put and agreed to.

The question that clause 238A, as amended, do stand part of the Bill was then put and a division taken with the following result:—

#### AYE8-35.

Abdullah, Janab S. M.
Abduls Shokur, Janab
Banerjee, Sj. Sushii Kumar.
Barman, The Hon'ble Syama Prasad.
Chaudhuri, the Hon'ble Rai Harendra
Nath.
Das, Sj. Radha Nath.
Das, Sj. Kanalial.
Dutta-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari.
Golam Hamidur Rahman, Janab.
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand.
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid
Khuda Buksh, Janab Md.
Maitmand Kased Ali, Janab.
Maiti, The Hon'ble Nikunja Behari.

Mai, Sj. Iswar Chandra.
Mandai, Sj. Annadaprasad.
Mandai, Sj. Bankubehari.
Mandai, Sj. Umesh Chandra.
Misra, Sj. Sowrindra Mohan.
Mohammad Hossain, Dr.
Mookerji, The Hon'ble Kalipada.
Mudassir Hossain, Janab.
Naskar, The Hon'ble Jeandra.
Panja, The Hon'ble Jadabendra Nath.
Pramanik, Sj. Rajani Kanta.
Rafiuddin, Ahmed, The Hon'ble Dr.
Roy, The Hon'ble Dr. Bidhan Chandra.
Roy, Sj. Jojneswar.
Roy Sarkar, Sj. Birendra Nath.
Ben, The Hon'ble Prafulla Chandra.
Shamsul Huq, Janab.
Sinha, The Hon'ble Bimal Chandra.

#### NOES-6

Bandyopadhyaya, Sj. Pramatha Nath. Banerji, Dr. Suresh Chandra. Basu, Sj. Hemanta Kumar.

Bhandari, Sj. Charu Chandra De, Sj. Kanai Lai. Mohamad Rafique, Shaik.

The Ayes being 35 and the Noes 6, the motion was carried.

# Clause 238B.

The question that clause 238B do stand part of the Bill was then put and agreed to.

# Clause 238C.

The question that clause 238C do stand part of the Bill was then put and agreed to.

# Clause 238D.

The question that clause 238D do stand part of the Bill was then put and agreed to.

#### Clause 238E.

The question that clause 238E do stand part of the Bill, was then put and agreed to.

#### Clause 239.

The question that clause 239 do stand part of the Bill, was then put and agreed to.

#### Clause 240.

8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in subclause (4) of clause 240, in line 2, for the words "seven days" the words "fifteen days" be substituted.

**Shaikh MOHAMAD RAFIQUE:** Sir, I beg to move that in clause 240(4), line 3, for the words "three and one-eighth per cent." the words "three and a half per cent." be substituted.

I further beg to move that after sub-clause (4) of clause 240, the following sub-clause be added, namely:—

"(5) If any person makes advance payment for four quarters of consolidated rates by the 15th day of April each year a rebate of six per cent. of such amount shall be allowed to the payer."

Sir, this is a very minor amendment. I have only suggested for the purpose of calculation that "three and a half per cent." be substituted in place of "three and one-eighth per cent.". The difference is not much, but this will be an incentive to the tax-payers to pay their taxes to the Corporation immediately on presentation of the bill. (Sj. J. C. Gupta: How to calculate?) Calculation can be done. My friend need not worry about it. If he cannot do it, there are so many calculating machines which can do it. I may add that three and a half per cent. is the rate at which the Corporation has been taking the loan.

Again, Sir, in another amendment I have suggested that a rebate of 6 per cent. be given in case a man pays the tax for the whole year. The Corporation will have this money eleven months before the due date. This is just to help the Corporation so that they may get rid of their financial worry. There is not much in it, and as a business proposition it is very attractive. I hope that Dr. Roy will appreciate this offer to help the Corporation.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with regard to the first point already Mr. J. C. Gupta has answered it rather loudly when he asked "How to calculate?" I will only say this that one-eighth is a better component of a rupee which we can easily calculate.

With regard to the other point, the difficulty is that according to our present arrangement under the Act in force, we issue bills every quarter. How can you make payment for the whole year in advance. It is not like income-tax that you can pay income-tax for the whole year and then get deduction from what you have already given. For very small rate-payers it is very difficult to pay a big amount. Of course, big men can pay for the whole year, but I am not interested in that. There is no reason why I should accept it. I am sorry.

The motion of Sj. Susil Kumar Banerjee that in sub-clause (4) of clause 240, in line 2, for the words "seven days" the words "fifteen days" be substituted, was then put and agreed to.

The motion of Shaikh Mohamad Rafique that in clause 240(4), line 3, for the words "three and one-eighth per cent." the words "three and a half per cent." be substituted, was then put and lost

The motion of Shaikh Mohamad Rafique that after sub-clause (4) of clause 240, the following sub-clause be added, namely:—

"(5) If any person makes advance payment for four quarters of consolidated rates by the 15th day of April each year a rebate of six per cent. of such amount shall be allowed to the payer."

was then put and lost.

The question that clause 240, as amended, do stand part of the Bill, was then put and agreed to.

## Clause 241.

**Shaikh MOHAMAD RAFIQUE:** Sir, I beg to move that in clause 241(3), line 3, for the words "four and eleven-sixteenths" the words "three and a half" be substituted.

Sir, here while the Corporation gives you three and one-eighth per cent. rebate if you pay the tax within one week, they want interest at the rate of four and eleven-sixteenths per cent. if you do not pay it within one week. That seems to me to be very unfair. If the Corporation gives rebate of 3½th per cent. let them take 3½ per cent. interest in case one is a defaulter. But why should one be made to pay four and eleven-sixteenths if one has not paid the tax in time?

8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in subclause (1) of clause 241, in line 2, for the words "seven days" the words "fifteen days" be substituted.

Sir, I further beg to move that in sub-clause (3) of clause 241, in line 1, for the words "seven days" the words "fifteen days" be substituted.

The motion of Shaikh Mohamad Rafique that in clause 241(3), line 3, for the words "four and eleven-sixteenths" the words "three and a half" be substituted, was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in sub-clause (1) of clause 241, in line 2, for the words "seven days" the words "fifteen days" be substituted, was then put and agreed to.

The motion of Sj. Sushil Kumar Banerjee that in sub-clause (3) of clause 241, in line 1, for the words "seven days" the words "fifteen days" be substituted, was then put and agreed to.

The question that clause 241, as amended, do stand part of the Bill, was then put and agreed to.

#### Clause 242.

**8j. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that in subclause (1) of clause 242, in line 2, for the words "seven days" the words "fifteen days" be substituted.

The motion was then put and agreed to.

The question that clause 242, as amended, do stand part of the Bill, was then put and agreed to.

#### Clauses 243-259.

The question that clauses 243 to 259 do stand part of the Bill, was then put and agreed to.

Clause 260.

8]. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 260 in line 1, for the words "seven days", the words "fifteen days", be substituted.

The motion was then put and agreed to.

The question that clause 260 as amended do stand part of the Bill, was then put and agreed to.

## Clause 261.

The question that clause 261 do stand part of the Bill, was then put and agreed to.

# Clause 262.

8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 262 in line 1, for the words "seven days" the words "fifteen days" be substituted.

The motion was then put and agreed to.

The question that clause 262 as amended do stand part of the Bill, was then put and agreed to.

# Clauses 263-269.

The question that clauses 263 to 269 do stand part of the Bill, was then put and agreed to.

#### Clause 270.

Shaikh MOHAMAD RAFIQUE: Sir, I beg to move that in clause 270(2), line 11, after the words "and no" the word "free" be inserted.

Sir, this amendment is not very important. If the Government does not feel inclined to accept the amendment, I would not bother. The language of the amendment is ambiguous. It says "no rebate shall be allowed to the party if no filtered water-supply is taken from municipal water-supply." No supply does not mean if he has paid for the supply. I have just said "free supply" of filtered water from the municipal water-supply.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I think Mr. Rafique has not properly followed the point. The fact is that at the present moment the total quantity of water-supply available for the extended town of Calcutta is not such as Corporation can provide. Therefore we wanted to encourage the public to sink tube-wells in their own houses provided the tube-wells would give sufficient water for the houses. I realise that big people would arrange for their own water-supply. But the idea is that if at any time the tube-well does not give sufficient water the owner of the house might apply to the Corporation for fixing a meter and give water to the premises. His "free" means that he would get the rebate for having a tube-well and if the tube-well does not give sufficient or no water he would get free water from the Corporation. Therefore the word "free" does not come into the picture.

The motion of Shaikh Mohamad Rafique that in clause 270(2), line 11, after the words "and no" the word "free" be inserted, was then put and lost.

The question that clause 270 do stand part of the Bill, was then put and agreed to.

#### Clauses 271-272.

The question that clauses 271 and 272 do stand part of the Bill, was then put and agreed to.

# Adjournment.

The House was then adjourned at 7-20 p.m. till 2-30 p.m. on Wednesday, the 31st October, 1951, at the Assembly House, Calcutta.

636 [31st Oct.,

# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 31st October, 1951, at 2-30 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 12 Hon'ble Ministers and 63 members.

# Point of Privilege,

- 8]. SIBNATH BANERJEE: On a matter of privilege, Sir. I find that in the Order Paper there is no question. Usually one hour is set apart for questions and a large number of questions are pending, and I understand that the session is going to close in two days' time. That means that most of the questions will remain unanswered. May I request the Leader of the House through you, Sir, to see that the questions are all answered by the time the House is adjourned.
- 8j. HEMANTA KUMAR BASU: Sir, I submitted a short notice question on the food situation in the Sundarbans on the 29th of September and today is the 31st of October, and more than a month has elapsed.
- Mr. SPEAKER: So far as the receipt of answers to questions is concerned, it is beyond my jurisdiction. With regard to the putting up of questions for today, there are no questions today. As soon as answers are available, they will be put up.
- **8j. HEMANTA KUMAR BASU:** Sir, my question is a short-notice one.
- Mr. SPEAKER: The question has been sent and unless the relpy is received it cannot be put up.

# COVERNMENT BILL,

## The Calcutta Municipal Bill, 1951.

## Clause 273.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 273, in line 3, after the words "the Corporation may fix" the words "but shall never be less than forty feet" be inserted.

Sir, I beg further to move that to clause 273 the following further provise be added, namely:—

"Provided further that the Corporation may, by a resolution in favour of which not less than two-thirds of the Councillors and Aldermen present and voting have voted, authorise a lower pressure in any case where owing to causes over which the Corporation have no control or by reason of other circumstances it is impracticable to secure a pressure of forty feet".

Sir, পুরাণ Actd অধাৎ ১৯২৩ সালের Municipal Actd এই ব্যবস্থা ছিল বে, Corporation বে filtered and unfiltered water কলকাডার সরবরাহ করবে, ডার চাপের পরিবাণ করপক্ষে সর্বদ্য ৪০ জিট থাকবে, এবং ৪০ জিটের কর কথনই হতে পারবে না।

কিছ বে Bill আনাদের সামনে এবন উপত্বিত আছে তাতে এই ৪০ কিট বাকার ব্যবহা ব্যবহ করে করা হচ্ছে—at such pressure as the Corporation may fix অর্থাৎ ৪০ কিট হতে পারে, তার করও হতে পারে বা কেনীও হতে পারে। কিছ Sir, আনরা জানি এখন ৪০ কিট চাপে জন দেরা সম্বেভ আনরা বে পারিরাণ জন পাই তাহাই বধেই নয়, আনার তার চেরেও বিদ কর হর তাহনে লোকের পুর অফুবিধা হবে। এই claused at such pressure যে কথাটা আছে তাতে তাঃ বলতে পারেন কেবল ৪০ কিটু কেন কেনীও হতে পারে, কিছ Sir, এই কথা করাট যোজনার ফলে আনার বনে বভাবতটে এ আপত্ব। উঠুছে যে বোধ হর Corporation বলবেন—আনাদের ইচছা; আমরা ৪০ কিটু নর তার কর চাপে জন দেরে।। অবণ্য এবনো হতে পারে—কথনো কোন দৈবপুরিপাকে পুর্বচনার দক্ষণ ৪০ কিটু চাপ রক্ষা করা Corporationএর পাকে করিন হতে পারে। কোই জন্য provisoতে বলা রয়েছে যে ৪০ ফিটুএর কর চাপ যদি করতে হর তবে special meeting of Corporation call করতে হবে এবং তাতে councillors and aldermanন্ধে বুল অন্তঃ উপত্বিত থাকতে হবে—এই রক্ষ একটা meeting এ যদি পাপ হর তবেই যে ব্যবহা হতে পারে।

তারপর কলকাতার অধিকাংশ পথেই Corporationএর tap ছাড়া জলের জন্য কোন ব্যবস্থা নাই। জনেক পথে জাবার এই taps নাই। স্থতরাং জল যদি কম পাওয়া যায় তাহলে জনগণের কটের সীমা থাকে মা। সেই জন্যই আমি এই clauseটার উপর ধুব জোব দিচিছ। এবং এই ৪০ ফিটের জায়গায় at such pressure as the Corporation may fix এই জন্য আমি এই সংশোধনী প্রভাব উপন্থিত করেছিবে ১৯২৩ সালের আইনে যে ব্যবস্থা ছিল সেইটাই যেন বহাল রাখা হয়; এই জামার গভণিমণ্টের কাছে জনুরোধ।

Sj. HEMANTA KUMAR BASU: Sir, আমি ডা: হ্বেশ বানাজি মহাণরের পুতাব সমর্থন করছি। কলকাডা সহরের ছল সরবরাহের পুশা নিয়ে এই elauseটা। আমরা সকলেই জানি যে জনের জন্য আজকাল কলকাডার লোকের কডটা কট হয়, বিশেষত: যত্তি জকলে—নীচের দিকে না হয় একটু উঁচু কল হলেই সেবানে pressure এক কম যে জল পাওয়া অসম্ভব হয়ে পড়ে। তারপরে unfiltered water তো এক রকম পাওয়াই যায় না—তার প্রায়ণঃই অভাব হতে দেখা য়য়। সেই জন্য ৪০ ফিট্ pressure রাখবার একটা মানে হচেছ—আমরা যে ভাবে জল ব্যবহার কবি, তাতে যদি একটা fixed pressure রাখা হয় তাহলেই Corporationএর কর্তৃপক্ষ ধরতে পারবেন যে এই pressureএর কমে আমাদের জল সরবরাহ কয়া চলমে না। তা নৈলে, Corporationএর ইচছার উপর ছেড়ে দিলে কম pressureএ জল supplyএর যদি তারা ব্যবহা করেন তাহলে লোকের কট আরো বেড়ে যাবে। সুতরাং গভর্ণমেণ্টের উচিত ডাঃ বানাজির সংশোধনী প্রভাবটা প্রহণ করা।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, it is true that the old Act had a provision that the height of water should go up to 40 ft. It is eqally true that in most parts of the town the pressure of water was much below 40 ft. in the last few years as I know it from the affairs of the Corporation. There is no use making a provision which one knows cannot be fulfilled always and perhaps that is the reason why in the Madras Act and in the Bombay Act they have not got a figure given in this provision. Dr. Banerji says that if there is a majority of a certain number, it can authorise a lower pressure in any case owing to causes over which the Corporation has no control.

Sir, what is the cause of the loss of pressure? There are three main reasons. One is that in certain parts of the area, the Corporation does not get enough water from its intake or the water is too saline to be utilised immediately so that within the time period, the Corporation is not able to get sufficient quantity of filtered water to maintain the pressure. Often times, if the rainy season is delayed, there are algae formed over which the Corporation may have no control. The second reason is that the Corporation main as well as the huge overhead tank at Talla have to carry water along mains which go from the north to the south. There are three big mains which carry water to the south. As the mains go over to the

south, tapping is done from the mains to supply water in the northern part and the central part of the town of Calcutta with the result that those who live at a distance from Calcutta cannot get the same water-supply for one reason that our people are not yet in the habit of closing the taps—they allow the taps to run with the result that what is lost in the northern part of the town cannot reach the southern part of the town. That is the reason which would come under the proviso of Dr. Banerji because that is a reason over which the Corporation can have no control. The third reason, I suppose, is an important one. The reason why we have not mentioned the pressure is this that on the amount of water drawn in the northern part of the town depends the amount of water that can go to the southern part of the town. Now, if there is for any reason, as has happened in the past, a large movement of people from one area to another, it often happens that the amount of water drawn in that part where there is accumulation of people would naturally lead to less water being conveyed to the rest of the town

Therefore, Sir, I feel that it is better not to fix up any figure simply because to satisfy our conscience that we have given order to put the water at 40 feet which they have not been able to do within the last few years. Merely by putting it on paper, it won't help. After all the Corporation has to respond to the people's demand. I understood from my friends opposite that they are very keen upon the Corporation having all the powers. Here is the occasion. The Corporation has the power to fix the height to which water can go. If they can provide sufficient water, why can't they make it 60 feet, 70 feet or 80 feet. It is for them to fix it. Therefore, we have preferred to leave this power to the Corporation consistent with their duty to the rate-payers to fix the height at which to put the water. Therefore, I oppose the amendment of Dr. Banerji.

8J. SIBNATH BANERJEE: Wastage ক্যাবাৰ জন্য mater কগাবাৰ ব্যৱহাৰ কথা তেবে দেখেছেন কি ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: I do not know whether he wants an answer. I would advise him to go and see the Administrator of the Calcutta Corporation. There was a proposal at one time to put the meter but it became so expensive—the tax would go up not to 23 per cent. but to 33 per cent.

The motion of Dr. Suresh Chandra Banerji that in clause 273, in line 3, after the words "the Corporation may fix" the words "but shall never be less than forty feet" be inserted was then put and lost.

The motion of Dr. Suresh Chandra Banerji that to clause 273 the following further proviso be added, namely:—

"Provided further that the Corporation may, by a resolution in favour of which not less than two-thirds of the Councillors and Aldermen present and voting have voted, authorise a lower pressure in any case where owing to causes over which the Corporation have no control or by reason of other circumstances it is impracticable to secure a pressure of forty feet"

was then put and lost.

The question that clause 273 do stand part of the Bill was then put and agreed to.

### Clause 274.

Dr. SURESH CHANDRA BANERJI: I beg to move that in clause 274, line 2, the words "and potability" be omitted.

ন্যার, এই amendment এর উদ্দেশ্য আমি পরে বলৃছি। পুশবে আমি বলৃতে চাই এই বে, Dr. Royএর একটা জিনিব জানা নাই। পুরাতন Acta এই potability শব্দটা ছিল না, শুনু ছিল to test the purity of the supply of filtered water. এখন purityর সংগে সংগে potability শব্দটা বোগ দেবার তাংপর্যা কি। এটা জানবার জন্য আমি Dr. Royকে জিপ্তানা করছি। কি কারণে এই potability শব্দটা বোগ করা হল সেটা জানবার জন্য আমি এই সংশোধনী পুস্তাব এনেছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I thought the word is quite clear. What is pure is not always potable. I would not like Dr. Banerji to drink only distilled water. It is absolutely tasteless. There must be potability of water as much as there is purity of water. Water may be potable and yet not pure in the chemical and bacteriological sense and it may be pure in the chemical and bacteriological sense but not potable. Therefore in water both these functions should be there.

The motion of Dr. Suresh Chandra Banerji that in clause 274, line 2, the words "and potability" be omitted was then put and lost.

The question that clause 274 do stand part of the Bill was then put and agreed to.

### Clauses 275 to 278.

The question that clauses 275 to 278 do stand part of the Bill was then put and agreed to.

### Clause 279.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that in clause 279, line 3, for the words "seven hundred" and fifty" the words "fifteen hundred" be substituted.

স্যার, কি পরিমাণ filtered water এবং প্রতি চাকায় কত gallon filtered water প্রত্যেক বাড়ীতে পাবে এই সহছেই এই clause and consolidated rated যত চাকা দেয় তার পরিবর্তে কত gallon filtered water প্রত্যেক গৃহস্ব পাবে সেই উদ্দেশ্যেই এই clauseটা। আগে ছিল 1,500 gallon পেতে পারে। Original Billd ছিল 1,500 gallon for every rupee of the consolidated rate তারপর Select Committee ১৫শত গ্যালনের আয়গায় ৭৫০ গ্যালন করেছেন। আমার মতে এটা আতান্ত কম, আর্থাৎ আগে যা বরাদ ছিল তার আর্ক্রেন। কলিকাতা সহরে এমনিতেই আলের সমবরাহ কম; তার উপর যদি আর্ক্রেক করা হয় তাহ'লে অস্থবিধা হবে। এই জন্য আমি amendment এনেছি বে আর্গে গাছিল তাই করা হোক। Dr. Roy হয়তো বলবেন আইন করলে কি হবে, কার্যাতঃ ৭৫০ গ্যালনের বেশী পাওয়া বাবে না। তাই আমি বলুছি আইনে অন্ততঃ ১৫শত গ্যালন থাক, কারণ ৭৫০ করলে ৩৫০ গ্যালনও পাওয়া যাবে না। এই তয়েই আমি এই amendmentটা দিয়েছি।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, the answer is fairly simple. We did think at first of having 1,500 gallons. Then calculating the total amount of rupees received in taxes, we found that if we put down 1,500 gallons we should have 150 million gallons a day. At the present moment the Corporation can only provide 75 to 80 million gallons a day. Therefore, we put down 750 because that is more realistic than 1,500.

The motion of Dr. Suresh Chandra Banerjee that in clause 279, line 3, for the words "seven hundred and fifty" the words "fifteen hundred" be substituted; was then put and lost.

The question that clause 279 do stand part of the Bill was then put and agreed to.

### Clauses 280 to 286.

The question that clauses 280 to 286 do stand part of the Bill was then put and agreed to.

### Clause 287.

The question that clause 287 do stand part of the Bill was then put and agreed to.

### Clauses 288 to 292.

The question that clauses 288 to 292 do stand part of the Bill was then put and agreed to.

### Clause 293.

The question that clause 293 do stand part of the Bill was then put and agreed to.

### Clauses 294 to 302.

The question that clauses 294 to 302 do stand part of the Bill was then put and agreed to.

### Clause 303.

**8]. BIMAL COMAR CHOSE:** Sir, I beg to move that in proviso (ii) to clause 303(I), line 2, for the word, brackets and letter "clause (g)" the word, brackets and letters "clauses (c), (d), (e), (g), (h)" be substituted.

I further beg to move that in proviso (ii) to clause 303(I), line 3, for the word "forty-eight" the word "seventy-two" be substituted.

Sir, clause 303 gives the Commissioner power to cut off water under certain contingencies, and proviso (ii) of clause 303 says: "Water shall not be cut off or turned off in any case referred to in clause (g), unless written notice of not less than forty-eight hours has been given to the occupier of the premises." Clause (g) says: "If the use of the premises for human habitation has been prohibited under section 436, from the date from which the premises are to be vacated under the order of the Standing Committee dealing with health." Now my contention is that if the Government has thought it fit to give a notice for the contingency envisaged in clause (g) there is no reason for not giving the same facility in connection with contingencies envisaged in clauses (d), (e) and (h).

Clause (d) says that water may be cut off "if the occupier refuses to admit any municipal officer or servant duly authorised in that behalf into the premises for the purpose of making any inspection under this Chapter or under any rule or by-law relating to water supply made under this Act, or prevents such municipal officer or servant from making such inspection". Now, Sir, that the offence is serious I shall not deny, but it may so happen that the person concerned may make a false accusation. The Municipal Inspector or anybody may go to any house and after coming back for any reason may report that he had been interfered with in his work. Now, Sir, if merely on such report the water connection is to be cut off, the rate-payer would be in a very serious difficulty. Therefore,

Sir, I was suggesting that before action is taken on such a report, a notice should be given to the owner or occupier in order that the person concerned may have an opportunity to explain the facts of the case and urge that an injustice is being done, that his water must not be cut off, because otherwise he will be in a very difficult situation. It does happen, Sir, that the police party or Inspectors may sometimes for various reason give false reports.

Similarly, clause (e) says: "If the owner or occupier of the premises wilfully or negligently injuries or damages his meter or any pipe or tap conveying water from any works of the Corporation." I do not deny that the offence is serious and that if it is proved action should be taken against him. But my only contention is that even here probably the Inspector will make a report and in that case the occupier or owner should be given an opportunity to explain the case in the event that the report may not be quite true and correct.

The same thing applies to clause (h) which says: "If there is any water-pipe situated within the premises to which no tap or other efficient means of turning the water off is attached." Here also the Commissioner will probably depend upon the report of an Inspector. Therefore, in this case I feel that it would be of advantage and it would also be fair to give the facility of a notice to the person concerned before his water is cut off. My second amendment was to the effect that instead of 48 hours 72 hours' notice might be served upon the occupier or the owner, because I thought that 48 hours would be too short.

That is all I have to say.

The Hon'ble Dr. BIDHAN CHANDRA ROY: While I am prepared to accept the second amendment giving 72 hours' notice instead of 48 hours' time, I am afraid it is not possible for us to accept Mr. Ghose's first amendment, because a man who wilfully damages the meter of a house or prevents a person from entering the house should not be a person who should be shown much mercy. It may be, as Mr. Ghose says, that the inspector has taken a wrong step. But the Bill says that the Commissioner will not take any step—and I take it that he will not take any step without making proper enquiry. It cannot be that simply because a man sends a report he cuts off the water-supply. He will then be liable to a good deal of trouble afterwards. He cannot afford to do it. I do not think we can accept the first amendment, but we accept the second amendment.

The motion of Sj. Bimal Comar Ghose that in proviso (ii) to clause 303(I), line 2, for the word, brackets and letter "clause (g)" the word, brackets and letters "clauses (c), (d), (e), (g), (h)" be substituted, was then put and lost.

The motion of Sj. Bimal Comar Ghose that in proviso (ii) to clause 303(1), line 3, for the word "forty-eight" the word "seventy-two" be substituted, was then put and agreed to.

The question that clause 303 as amended do stand part of the Bill was then put and agreed to.

### Clauses 304 to 320.

The question that clauses 304 to 320 do stand part of the Bill was then put and agreed to.

### Clauses 321 to 338.

Mr. SPEAKER: Mr. Rafique's amendment No. 273 has been wrongly placed here. It relates to clause 329. It will be moved when clause 329 comes.

The question that clauses 321 to 338 do stand part of the Bill was then put and agreed to.

### Clause 339.

**Shakh MOHAMAD RAFIQUE:** Sir, I beg to move that after subclause (2) of clause 339, the following sub-clauses be added, namely:—

- "(3) The Corporation shall permit the construction of septic tanks on any premises subject to such conditions as it may prescribe,
- (4) That in wards where there is no municipal drainage for sewage and offensive matters and where a septic tank has been constructed the Corporation shall allow a rebate of 15 per cent. on the consolidated rates on such premises if the sewage or offensive matter are not removed by the Corporation".
- Sj. SUSHIL KUMAR BANERJEE: Sir, I beg to move that after subclause (2) of clause 339, the following sub-clause be added, namely:—
  - "(3) Where septic tanks and sanitary privies and urinals are constructed as aforesaid in any premises in any unsewered area, the Corporation shall allow a rebate of eight and one-third per cent. on the consolidated rate on such premises for so long as the area remains unsewered".

Shaikh MOHAMAD RAFIQUE: I am thankful to the Government that they have seen it fit that this amendment should be made. I wonder why they have put in 8 1/3rd per cent. It is a very meagre figure. It will cost the occupier much more than 8 1/3rd per cent. of the consolidated rate for the construction of a septic tank and for other contingency. I hope, Sir, Dr. Roy will increase the percentage. As a matter of fact the allowance for water and conservancy is only 14 per cent. for the supply of water if the owner or occupier has his own tubewell and has his own septic tank. This 15 per cent. is a low figure and the owner will have to incur more for this purpose.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, we considered this point very carefully. We find that it will not be possible to do away with the entire conservancy staff. Therefore we have provided 8 1/3rd per cent. which is as much as we should allow.

The motion of Shaikh Mohamad Rafique that after sub-clause (2) of clause 339, the following sub-clauses be added, namely:—

- "(3) The Corporation shall permit the construction of septic tanks on any premises subject to such conditions as it may prescribe,
- (4) That in wards where there is no municipal drainage for sewage and offensive matters and where a septic tank has been constructed, the Corporation shall allow a rebate of 15 per cent. on the consolidated rates on such premises if the sewage or offensive matter are not removed by the Corporation",

was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that after sub-clause (2) of clause 339, the following sub-clause be added, namely:—

"(3) Where septic tanks and sanitary privies and urinals are constructed as aforesaid in any premises in any unsewered area, the Corporation shall allow a rebate of eight and one-third per cent. on the consolidated rate on such premises for so long as the area remains unsewered,"

was then put and agreed to.

The question that clause 339 as amended do stand part of the Bill was then put and agreed to.

### Clauses 340 to 369.

The question that clauses 340 to 369 do stand part of the Bill was then put and agreed to.

### Clause 369A.

The question that clause 369A do stand part of the Bill was then put and agreed to.

# Clauses 370 to 385.

The question that clauses 370-385 do stand part of the Bill was then put and agreed to.

### Clause 386.

**33. 8USHIL KUMAR BANERJEE:** Sir, I beg to move that in clause 386(I)(a), in lines 3 and 4, for the words "or existing before the commencement of this Act, or" the following be substituted, namely:—

"or under the provisions of the Calcutta Municipal Act, 1923, or which is existing from before the commencement of the Calcutta Municipal Act, 1923, or".

The motion was then put and agreed to.

The question that clause 386, as amended, do stand part of the Bill was then put and agreed to.

### Clauses 387-433 except clause 415.

- Mr. SPEAKER: The question before the House is that clauses 387 to 433 except clause 415 omitted by the Select Committee do stand part of the Bill.....
- 8]. SIBNATH BANERJEE: On a point of order, Sir. You can put en bloc a number of clauses from a certain number to a certain number but you cannot say "clause this to clause this except clauses so and so." I think it would be out of order if you do that. You can take seriatim any number of clauses but you cannot take exception to any clause in their midst.
- Mr. SPEAKER: The meaning is quite clear. Had the meaning been uncertain or ambiguous you could have raised an objection. When that particular clause has been omitted by the Select Committee it need not be taken up.

The question that clauses 387 to 433 except clause 415 omitted by the Select Committee do stand part of the Bill was then put and agreed to.

# Clause 433A.

8j. HEMANTA KUMAR BASU: Sir, I beg to move that to clause 433A the words "subject to provisions and rules under Trade Union Acts" be added at the end.

# SJ. SIBNATH BANERJEE: Sir, I want to oppose the clause.

Original বে Bill আমাদের কাছে দেশুরা হরেছিল তার মধ্যে এই clause ছিল না। তারপর Select Committeeco—by some fertile brain এটা add করা হরেছে; এবং এটা হারা শুনিকদের strike বন্ধ করবার নানা রকন উপার অবলয়নের ব্যবস্থা করা হরেছে। এই আইনটা হবে—আর একটা additional means,—already trade union movementএর উপর এত বেশী বাবা ও নিধেধ চুকেছে যে তার কলে এমনিতেই legal strike করা এক রকম অসম্ভব হরে উঠেছে, তারপর যে সমস্ভ বিল Central Governmentএর তরক থেকে Parliamentএ রমেছে, সে সব বিদি পাশ হরে যার ভাহতে এরকম আইনের আর কোন পরকারই হবে না।

মেধরগণ হরিজন বলেই বোধ হয় তাদের পুতি একটু বেশী প্রীতি দুখিয়েছেন, working class as a wholeএর মধ্যে বিশেষ করে নেধর এবং আর সব হরিজনেরা যাতে একেবারেই strike না করতে পারে সেই জন্য এই বিশেষ প্রীতি। strike শুনিকেরা সহজে করে না। strike যারা একবার করেছে তারাই জানে যে ওতে লাভ ত বিশেষ হয়ই না, উপরস্ক চাকরীটা পর্যান্ত যেতে পারে যেনন হাওড়ায় হয়েছিল। তর যধন তারা strike করে কেবল যধন দেখে যে তাদের সন্মুখে আরু কোন উপায় নাই।

এখানে যা করা হয়েছে তার বিধানটা হলো এই যে strike করার আগে তাকে এক মাসের notice দিতে হবে, কিন্তু যখন নাকি তাদের কাজ খেকে তাড়িয়ে দেওয়া হয় তখন কিন্তু কর্ত্বপক্ষ এক মাসের নোটিশ দেন না। স্কুডরাং এই clauseটা যদি পাশ হয় তাহলে কর্পোরেশনের বেধর ও অন্যান্য হরিজন শুমিকদের চাকরী বিপনু হবে। আইনের কোন বিধিনিমেধ ধাকলে employerরা সাধারণতঃই তা মানে মা Corporation আরো কম মানে। তার পরে মেধর শ্রেণীর লোকেরা একেবারেই illeterate, আইন কানুনে তাদের অজ্ঞতার স্কুযোগ নিয়ে তাদের উপর আরো বেশী অত্যাচার হবে।

Trade Union Acta শুনিকদের যে সমন্ত protection দেওয়া আছে এ আইনে দেওলি হরণ করা হচেছ। সে আইন অনুসারে labour tribunalএর কাছে তারা যেতে পারে যদিও tribunalএর কাছে গোলে যে খুব ফল হয় তা নয়, কিন্তু তবু অন্যান্য ব্যাপারে, কেবল চাকুরীতে পুনর্বহাল ছাড়া, tribunal কিছ কিছু করতে পেরেছেন, কিন্তু আজ পর্যান্ত reinstate করার ব্যাপারে তাঁরা কিছুই করতে পারেন নি। কিন্তু যদিও তাঁরা বিশেষ কিছুই করতে পারেন নি, তবু শুনিকদের মনে একটা ক্ষীণ আশা থাকে যে tribunalএ গেলে একটা বিচার অন্তত: হবে। কিন্তু এই আইনের ফলে তারা যদি tribunalএর কাছে না যেতে পারে তাহলে এই clauseটার যারা victimised হবারই বেন্দী সম্ভাবন।

মেথর শ্রেণীর লোকেরা প্রায়ই স্তীপুত্রাদি দেশে রেখে এখানে কাজ করতে আসে, নাঝে নাঝে ডাদের টাক। পরনা দেওয়ার জন্য বাড়ী যেতে হয় সেটা এমন কিছু অপরাধ নয়, কিছু এই clauseটা পাশ হলে সেটাও একটা গুকতের অপরাধ বলে ধরা হবে। Original Billএ এই clauseটা ছিল না, Select Committee পরে এটা যোজনা করেছেন, কিছু যে প্রোজনে করেছেন সেটা সিছ্ক হবেই না বর্ং আরো বেশী কৃতিকর হবে।

Constitution অনুসারে যে স্থাবিধা, যে protection ভারা পেয়েছে সেটা সমস্তই ফেবং নেওয়া ছচেছ্
by a stroke of pen. Essential Service যদি হয় ভাহলে নিয়ন আছে, ১৫ দিনের notice দিতে
ছবে। কিন্তু এক্কেত্রে বে নিয়ন করছেন ভাতে হচেছ্ এক রান। বে বড়ার আজ এবানকার শুনিকদের উপর
ভুলেছেন, এটা এখানেই শেষ হবে না, এটার পর লক্ষ্য হবে হাওড়া, ভারপর বাংলা দেশে বে ৭০/৭২টা
municipality, একে একে ভাদের উপরেও এটার পুরোগ হবে। বারা আইন সম্বন্ধে সম্পূর্ণ অনভিন্তা, সর্ব
বিধ্যে নিরক্ষর এবং সরাজেও যারা অভ্যান্টারিত সেই শ্রেণীর জন্য এই রক্ষের আইন করাটা অভ্যান্ত অন্যার।
ছাজ্জাং আনি এইclauseটার বিশ্বোধিতা করাছি।

Dr. SURESH CHANDRA BANERJI' মাননীয় Speaker বহোগৰ—আনার বহু বিবনাধ বাবু এই clauseএর প্রতিবাদে বে সব কথা বলেছেন, তার প্রত্যেকটি কথা আবি সর্বান্তকরণে সর্বান্ত করি। আবি বনে করি, এই clause এই তাবে পাশ হলে, সত্যই সরাজের সবচেরে নিমুল্লরে অবস্থিত মেধর্মদের উপর খুবই অবিচার করা হবে। তারা সত্যই কিছু বুঝে না। নিরক্ষর তারা আইন কানুনের ধার ধারে না। বিনা কারণেও তারা কথনও কথনও কাজে absent হয়। এমনি ত তাদের উপর নানা রক্ম নির্বাতন হয়; কথার বহু কর্মচারীকে তাদের যুদ দিতে হয়। এই clause এই তাবে পাশ হলে তাদের অনেক বেশী যুদ দিতে হবে। হঠাৎ অনুপবিত হলেই, তাদের বলা হবে চাকরি গেছে—তথন যুদ দিতে হবে। গুচামিঙৰের বেলায় বলা হয়েছে এক মানের notice না দিলে strike করা বাবে না। মদ খেরে বা আমোনআহ্লাদ করে তারা, হয়ত একদিন যদি তারা অনুপবিত থাকে অমনি তাদের চাকরি বেতে পারবে। কলে তাদের আরও যুদ দিতে হবে। এটা তাদের নিত্য নৈমিভিকব্যাপার।

কাজেই এই clauseএর আমি তীব্র প্রতিবাদ করি। এমনি ত রয়েছে ১৫ দিনের notice না দিয়ে কাজ ত্যাগ করতে পারবে না। দে কিছু কম নম – নেটাকে বাড়িয়ে আবার এক মাস করার কোনই পুরোজন নেই। শুধু জুনুম বাড়াবার জন্য ১৫ দিনের জায়গায় ১ মাস করা হচেছ। তাই আমি এর তীব্র পুতিবাদ করি।

- 8j. HEMANTA KUMAR BASU: আমার amendmentএর উদ্দেশ্য শ্রীযুত শিবনাথ বাবু ও ডাজ্ঞার বানাজি পরিকার তাবে বলে দিয়েছেন। যে তাবে এই clauseটা করা হয়েছে, তার সঙ্গে আমার amendmentটা যদি লাগিয়ে দেওয়া হয়, তাহলে ফল হবে যে এই trade union movement হারা যে আইন তৈরী হয়েছে, সেটা যে শুমিক আন্দোলনের জন্য, শুমিকদের যে অধিকার, সেটা রক্ষিত হবে। অন্যথায় সেটা বার্থ হবে। গরীব যাদের নাকি আইন সম্বন্ধ কোন জ্ঞানই নাই, তাদের পুতি যাতে স্থবিচার হয় সেদিকে দৃষ্টি রেখে আইন রচিত হওয়া উচিত।
  - 8j. SIBNATH BANERJEE: এ বিষয়ে আমাদের Labour Minister কি বলেন ?

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I am prepared to accept the amendment but my difficulty is this that in that case the original section will have to be altered. The words "without giving written notice, not less than one month previously" will have to be omitted, because the Trade Union Act provides for 15 days' notice. Therefore may I suggest one thing, if everybody agrees. We accept Hemanta Babu's suggestion "subject to provisions and rules under the Trade Union Acts" and make necessary changes in the original Bill in order to fit in one month's notice which cannot exist in the Trade Union Act provisions. Therefore you have got to omit that in order to fit in with this clause.

- 8j. BIMAL COMAR CHOSE: Let a short-notice amendment be given to this effect.
- Mr. SPEAKER: Let this clause be held over. In the meantime I am proceeding on to the next.

### Clauses 434 to 448.

The question that clauses 434 to 448 do stand part of the Bill was then put and agreed to.

### Clause 448A.

The question that clause 448A do stand part of the Bill was then put and agreed to.

8j. SIBNATH BANERJI: Mr. Speaker, my submission is, give us at least a little notice as to how many you are taking together so that if we are to speak on any we can do so. Of course, there is no amendment but

we can speak on—oppose or support—any clause. At least if you give us 10 seconds notice, then we may be in a position to make up our minds; otherwise we are taken by surprise. You are taking 100 clauses at one time.

Mr. SPEAKER: All right. Now I am putting clauses 449 to 464.

### Clauses 449 to 464.

The question that clauses 449 to 464 do stand part of the Bill was then put and agreed to.

### Clause 465.

- **3]. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that in clause 465(I), after item (g), the following item be inserted, namely:—
  "(gl) stalky tea,".
- Sir, I also beg to move that for clause 465(I)(k)(ix) the following be substituted, namely:—
  - [Amendment No. 276B.] "(ix) In the case of tea
    - it shall be the leaves, leaf-buds and stalks of Thea Sinensis prepared by recognised trade processes like fermenting, drying and roasting; it shall not contain any foreign matter or any tea which has been in any measure deprived of its proper quality, strength or virtue by steeping, infusion, decoction or other means; any stalks contained in it shall be tendered stalks; provided that stalks other than tender stalks, may be present but shall not be more than fifteen per cent. by weight, the weight of leaves and stalks being obtained after drying at one hundred degrees centrigrade and determined under identical conditions.
  - (ixa) In the case of stalky tea
    - it shall not contain more than fifty per cent. of stalks (other than tender stalks) by weight, the weight of leaves and stalks being obtained after drying at one hundred degrees centigrade and determined under identical conditions; it shall be labelled as stalky tea and shall conform to such standard as may be prescribed by the State Government."
- 8J. SHYAMAPADA BHATTACHARYYA: Sir, I want to move an amendment to this amendment.
  - Mr. SPEAKER: Yes.
- 8]. SHYAMAPADA BHATTACHARYYA: Sir, I beg to move that in line 8 of amendment No. 276B of Sj. Sushil Kumar Banerjee for the words "fifteen per cent." the words "twenty per cent." be substituted.
- Mr. J. R. WALKER: Sir, I beg to move that for clause 465(1)(k)(ix) the following be substituted, namely:—
  - "(ix) in the case of tea
    - it shall be the leaves, leaf-buds and stalk of Thea Sinensis prepared by recognised trade processes like fermenting, drying and roasting; it shall not contain any foreign matter or any tea

which has been in any measure deprived of its proper quality, strength or virtue by steeping, infusion, decoction or other means:

Provided that stalk other than tender stalk shall not be more than twenty per cent. by weight, the weight of leaves and stalk other than tender stalk being obtained after drying at one hundred degrees centigrade and determined under identical conditions,

Provided further that tea containing more than twenty per cent. of stalk, other than tender stalk, may be stored or offered for sale or sold if such tea is labelled 'stalky tea' ".

Sir, my amendment is just the same as the Government amendment except that I substitute the word "twenty" in place of "fifteen".

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, 1 think that a word of explanation is necessary as to why this amendment has been brought in. According to the existing standard, tea has been prescribed in the present Act as tea which consists of leaf and bud of a particular species of plant which has been prepared according to recognised method. This definition did not take into account any part of the stalk. Now in tea plant there are two types of stalks—one is the stalk by which the leaf is attached to the main stem, and the other is a small part of the stem itself. Sir, the part of the stem itself is being called "stalky tea", and the part of the stalk by which the leaf is attached to the main stem is known as "tender stalk". What happened was that about four or five months ago the Corporation of Calcutta under the present Act started some cases against tea people who had tea which was not according to the normal standard. We had some experiments made and we tried to arrive at some formula by which we could retain the flavour, the taste, and the quality which we always associate with tea, and yet distinguish between tea in which there is predominance of leaves, buds and tender stalks and tea where a larger quantity of hard stalk is to be found and we had a prolonged discussion. I sent the matter to the Test House at Alipore. I had the whole thing tested by the Public Health Laboratory and we have come to this position that tea which would be sold as tea and which will fetch higher price will consist of tea-leaf, tea-buds and tender stalks of any quantity and not more than a certain quantity of hard stalk which was 15 per cent. and now amended as 20 per cent. This proportion, Sir, is obtained by drying tea in a particular manner under particular conditions. And then there was still left a large quantity of hard stalky tea which really is not sold in India, but is exported abroad and which does not fetch the same price as the ordinary tea and which should be separated, in our mind, from the ordinary tea that we buy in the market. As a result of these discussions and investigations we have come to this formula. I confess that the chemists have not been able yet to lay down the proportion of the various substances which should be found in tea which is really potable and which is really suitable for human consumption. We are making investigation and if we get certain figures as to what should be the standard tea, that may be incorporated in the form of an amendment. It may take six months. or eight months or more, because we propose to take a very large number of samples and get a standard formula. I may say that practically nowhere in the world has this thing been worked out very satisfactorily and, therefore, we should lay the standard, if possible, for the rest of the world to follow, but in the meantime we have said that tea which should be sold in the market should be labelled either "ordinary tea" or "stalky tea", so

- that the buyer, if he buys stalky tea and cannot afford to buy ordinary tea, may buy stalky tea knowing that he is buying stalky tea and not ordinary tea.

With these words I commend the motion.

SJ. ANNADA PROSAD CHOWDHURY: Mr. Speaker, Sir, ৪ বাস আগে একটা বাবলা হরেছিল, এই জন্য এই amendment আনা হরেছে। আগে বা ছিল এবন নাকি তার কিছু পরিবর্ত্তন করা দরকার। Tender stock আর stock নিয়ে গোলবাল হতে পারে। Stock কি, আর tenderই বা কি? তার কোন definition পেওয়া হয়নি। চা যখন তৈরী হয় তখন নানা রকষ process, বেবন trade process, fermentation ইত্যাদি আনেক কিছু করা হয়। তারপর extra পাতার সংগো stemও আটকিয়ে খাকে। স্কুডরাং এই দুটোর বব্যে তকাৎ কি সেটা বদি definition দিয়ে পরিকারতাবে বুঝিয়ে না পেওয়া হয় তাহলে আগেকার গোলমালই খেকে যাবে। এই জন্য বলি আরেকটা amendment দিয়ে এই গোলমাল পরিকার করা হোক।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, as I explained it is not possible to go any further. The point is that the solid materials in tea containing hard stalks will be different under certain conditions as have been mentioned from tea which contains only leaf, or tender stalks or buds. That is the only way in which we can distinguish between the two.

Mr. SPEAKER: Well, Mr. Walker, in view of the amendment moved by Government, are you insisting upon your amendment?

Mr. J. R. WALKER: No. Sir. I want to withdraw my amendment.

Mr. SPEAKER: Is there any objection to permit Mr. Walker to withdraw his amendment?

(There being no objection.)

The motion of Mr. J. R. Walker that for clause  $465(1)(k)(\iota x)$  the following be substituted, namely:—

"(ix) in the case of tea-

it shall be the leaves, left-buds and stalk of *Thea Sinensis* prepared by recognised trade processes like fermenting, drying and roasting; it shall not contain any foreign matter or any tea which has been in any measure deprived of its proper quality, strength or virtue by steeping, infusion, decoction or other means:

Provided that stalk other than tender stalk shall not be more than twenty per cent. by weight, the weight of leaves and stalk other than tender stalk being obtained after drying at one hundred degrees centigrade and determined under identical conditions;

Provided further that tea containing more than twenty per cent. of stalk, other than tender stalk, may be stored or offered for sale or sold if such tea is labelled 'stalky tea'"

was then by leave of the House withdrawn.

The motion of Sj. Sushil Kumar Banerjee that in clause 465(1), after item (g), the following item be inserted, namely:—

"(g1) stalky tea" was then put and agreed to.

The motion of Sj. Shyamapada Bhattacharyya that in line 8 of amendment No. 276B of Sj. Sushil Kumar Banerjee for the words "fifteen per cent." the words "twenty per cent." be substituted was then put and agreed to.

The motion of Sj. Sushil Kumar Banerjee as amended that for clause 465(1)(k)(ix) the following be substituted, namely:—

"(ix) in the case of tea-

it shall be leaves, leaf-buds and stalks of *Thea Sinensis* prepared by recognised trade processes like fermenting, drying and roasting; it shall not contain any foreign matter or any tea which has been in any measure deprived of its proper quality, strength or virtue by steeping, infusion, decoction or other means; any stalks contained in it shall be tender stalks: provided that stalks contained in it shall be tender stalks: provided that stalks other than tender stalks, may be present but shall not be more than twenty per cent. by weight, the weight of leaves and stalks being obtained after drying at one hundred degrees centigrade and determined under identical conditions.

(ixa) in the case of stalky tea-

it shall not contain more than fifty per cent. of stalks (other than tender stalks) by weight, the weight of leaves and stalks being obtained after drying at one hundred degrees centigrade and determined under identical conditions; it shall be labelled as stalky tea and shall conform to such standard as may be prescribed by the State Government"

was then put and agreed to.

The question that clause 465 as amended do stand part of this Bill was then put an agreed to.

### Clauses 466 to 530.

The question that clauses 466 to 530 do stand part of this Bill was then put and agreed to.

### Clause 531.

The question that clause 531 do stand part of this Bill was then put and agreed to.

# Clauses 532 to 538.

The question that clauses 532 to 538 do stand part of this Bill was then put and agreed to.

### Clause 539.

8j. BIMAL COMAR CHOSE: Sir, I beg to move that in table to clause 539(1), the figures in columns 3 and 4, wherever they occur, shall be substituted in the manner indicated below, namely:—

	Substituted Rupees
	Two hundred and fifty.
	One hundred and twenty fifty.
	One hundred.
	Fifty
	Twenty-five.
•••	Fifteen''.

sj. sushil Kumar Banerjee: Sir, I beg to move that in the table appended to clause 539 in the entry relating to section 363(1), item (ii) in column 2 and the entries in columns 3 and 4 against that item be omitted.

Sir, I also beg to move that in the table appended to clause 539, after the entries relating to section 363(1), the following entries be inserted, in columns 1, 2, 3 and 4, respectively:—

"363, sub- Prohibition of erection Five hundred Fifty section (2) or addition to building rupees rupees.

between a street alignment and a building line.

Sir, I also beg to move that in the table appended to clause 539 the entry in column 2 relating to section 369 be renumbered as item (i) and after that item the following entries in columns 2, 3 and 4, respectively, be added:—

"(ii) Prohibition of erection of Five hundred Fifty
building between a street rupees. rupees.
alignment and building
of a street projected
under section 368.

8j. BIMAL COMAR CHOSE: Sir, this is a provision relating to penalties. Now in so far as this Bill is concerned, we find that Government have been very enthusiastic and anxious particularly in two things. Firstly, in depriving the Corporation of all its authorities and making it a Government department. Secondly, in raising penalties wherever possible. Sir, I will give you certain comparative figures in regard to penalties imposed under the present Act and as envisaged in the present Bill. I have taken random examples about the penalties. Sir, the obligation to forward a statement regarding carriages and animals liable to taxation was Rs. 20 under the present Act, it has been made Rs. 200. Obligation to give notice of re-occupation of unoccupied land or building—under the present Act Rs. 25 and under the present Bill Rs. 250. Obligation to forward a list of dogs liable to taxation, present Act Rs. 10, present Bill Rs. 50. Improper use of filtered watersupply for domestic purpose, present Act Rs. 10, present Bill Rs. 100. Requisition on owner of premises to make house-drain and private appliances or fittings or to remove house-drain, etc., present Act Rs. 50, present Bill Rs. 250. I could go on giving any number of instances because penalties cover about 12 or 14 pages. Penalties have been increased by as much as 8, 10 or 12 times in many instances. I do not know whether the Government were going to introduce some sort of relationship between price-rise and penalties to be imposed, but in that case it would have been better if they had done something about the wages and salaries of Government employees-increasing the salaries by 8 or 10 times instead of imposing fines 8 or 10 times of what they are at present. I honestly feel that the maximum penalties that may be imposed under the present Bill are too heavy, and when you consider that under the present Act they are comparatively so low, I feel that the amendment that I have proposed is quite reasonable and that the

Government should accept it, because many of the offences are unimportant in nature and may even be inadvertently made, and it is not quite proper that such heavy penalties should be imposed for offences which are really not very serious.

Shaikh MOHAMAD RAFIQUE: Sir, I feel the Government is under the impression that these penalties will act as deterrent. Those who have the experience of the municipal court know very well that it is not the penalty or fine but it is the prolongation of cases not for months but from year to year that has resulted in the breach of many of the sections for which we are going to impose the penalties. Sir, if the Government are really anxious that the people should comply with the requisition because the imposition of fine after three years of trials is welcomed by parties, the best course is to have good magistrates and speedy trial. If that is done, I do not think there will be much need of heavy penalties at all. I feel that if these heavy penalties are imposed it will open the doors for corruption and parties will offer bribes to officers. Officers with small pay will succumb to these tempting offers by the guilty people. Sir, the employees who are lowly paid will readily accept bribes and frustrate the object we have in view.

I find that the Bill contemplates a penalty for construction on an alignment. This seems to be unfair. In the matter of construction on alignment, the proper procedure which used to be followed before was that the Corporation used to buy the land through the Land Acquisition Collector. But now I find that the Corporation will serve a notice on the party that it will not be allowed to construct on that portion of the road which falls on the alignment. This, I think, is quite unfair. If one wants to construct on his land and that land falls in an alignment why should he pay a penalty of Rs. 100 a day? Government should provide some clause by which the land can be taken over through the Land Acquisition Collector or acquired through any other channel.

Similarly, Sir, there is a fine of fifty rupees if I fail to give notice to the Corporation that I am occupying a flat. That is also not fair and just and should be deleted. If the intention of the Government is that the people should not break these laws the proper course is to have very good magistrates who would not sit at 1-30 p.m. and then go away at 2-30, and without hearing the case would adjourn the same to some other day. Sir, the people have now to dance attendance everyday from 10-30 a.m. and their cases are adjourned without any hearing. Sir, the best course would be to reorganise the department and not to impose these heavy penalties.

Sir, I support the amendment of Mr. Ghose.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, we have considered these items very carefully in the Select Committee and came to the conclusion that the punishment to be given for particular offences should be deterrent. If you put the fines at Rs. 15 or Rs. 20, the offender will go on merrily in the same manner as before but when the penalty is put in figures at the maximum that the magistrate may impose upon—and now-a-days the Magistrates and Judges may be as much full of human element like Sj. Bimal Comar Ghose—it is possible that the maximum in most cases will not be given. But in any case when something wrong is going to be committed, you must feel that the punishment is such that you must not do such a wrong thing.

The motion of Sj. Bimal Comar Ghose that in the table to clause 539(1), the figures in columns 3 and 4, wherever they occur, shall be substituted in the manner indicated below, namely:—

"For Rupees

Substitute Rupees

Five hundred

... Two hundred and fifty.

Two hundred and fifty

.. One hundred and twenty-five.

Two hundred One hundred ... One hundred. ... Fifty.

Fifty

... Twenty-five.

Twenty-five

... Fifteen.

was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in the table appended to clause 539 in the entry relating to section 363(1), item (ii) in column 2 and the entries in columns 3 and 4 against that item be omitted, was then put and agreed to.

The motion of Sj. Sushil Kumar Banerjee that in the table appended to clause 539, after the entries relating to section 363(1), the following entries be inserted, in columns 1, 2, 3 and 4, respectively:—

"363, subsection (2) Prohibition of erection or ad-

Five hundred rupees Fifty rupees.

erection or addition to building between a street alignment and a building line.

was then put and agreed to.

The motion of Sj. Sushil Kumar Banerjee that in the table appended to clause 539, the entry in column 2 relating to section 369, be renumbered as item (i) and after that item the following entries in columns 2, 3 and 4 respectively, be added:—

"(ii) Prohibition of erection of building between a street alignment and building line of a street projected under section 368. Five hundred rupees.

Fifty rupees.

was then put and agreed to.

The question that clause 539, as amended, do stand part of the Bill was then put and agreed to.

### Clauses 540-548.

The question that clauses 540 to 548 do stand part of the Bill was then put and agreed to.

### Clause 548A.

The question that clause 548A do stand part of the Bill was then put and agreed to.

### Clauses 549 to 576 (except 563 and 564).

The question that clauses 549 to 576, except clauses 563 and 564 omitted by the Select Committee, do stand part of the Bill was then put and agreed to.

### Clause 577.

**8j. SUSHIL KUMAR BANERJEE:** I beg to move that to clause 577 the following proviso be added, namely:—

"Provided that no proceedings for the recovery of any sum under this section shall be commenced after the lapse of three years from the date on which such sum becomes due."

The motion was then put and agreed to.

The question that clause 577, as amended, do stand part of the Bill was then put and agreed to.

### Clauses 578 to 585.

The question that clauses 578 to 585 do stand part of the Bill was then put and agreed to.

### Clause 586.

8]. SUSHIL KUMAR BANERJEE: I beg to move that in sub-clause (2) of clause 586 in line 8 after the word "nuisance" the word "and" be inserted.

The motion was then put and agreed to.

The question that clause 586, as amended, do stand part of the Bill was then put and agreed to.

### Clauses 587 to 590.

The question that clauses 587 to 590 do stand part of the Bill was then put and agreed to.

### Clause 590A.

8]. KANAI LAL DE: I beg to move that in clause 590A, line 3, for the words "State Government" the words "Chief Justice of the Calcutta High Court" be substituted.

I further beg to move that in clause 590A, line 4, for the words 'State Government' the words "Chief Justice of the Calcutta High Court" be substituted.

Dr. SURESH CHANDRA BANERJI: Sir, এই clauseটাৰ উদ্দেশ্য হচেছ এই বে, আনৱা আগেই পেৰেছি, এবন আৰ Calcutta Corporation একটা authority নৱ, এটা authority; Corporation, Commissioner and Standing Committee; এই ভিনটি authorityৰ বৰো function নিয়ে যদি কোন প্ৰশু ওঠে তাৰ নীনাংসা করবে কে—এই যে পুশু, তার জ্ববাবে এই claused বলা হয়েছে, নীনাংসা করবেন গভর্গবেশ্ট। বর্জনান এই বিলটা বাঁৱা এনেছেন তাঁদের নতে Corporationএ সর্ববিশ্বেই কর্ত্তা হচেছন গভর্গবেশ্ট। চাঞ্চ বাবুর যে amendment তাতে বলা হয়েছে ঐ বরণের যদি কোন প্রশু ওঠে তাহলে তার নীনাংসার তার গভর্গবেশ্টের উপর না দিয়ে একজন Judicial Officerএর উপর দেওবা তাল। এবং Chief Justice of Calcutta High Court হচেছন সর্বোচ্চ authority সেই জন্য এ বরণের প্রশন উঠলে তার নীনাংসার তার তাঁর উপরই দেওবা উচিত, কাজেই আমি ভা: রারকে আনুরোধ করছি তিনি বেন এটা বেনে নেন।

The motion of Sj. Kanai Lal De that in clause 590A, line 3, for the words "State Government" the words "Chief Justice of the Calcutta High Court" be substituted was then put and lost.

The motion of Sj. Kanai Lal De that in clause 590A, line 4, for the words "State Government" the words "Chief Justice of the Calcutta High Court" be substituted was then put and lost.

The question that clause 590A do stand part of the Bill was then put and agreed to.

# Clauses 591 to 594.

The question that clauses 591 to 594 do stand part of the Bill was then put and agreed to.

### Clause 595.

**3j. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that in clause 595(2), in line 2, after the figure "594" the words "this Act and" be inserted.

The motion was then put and agreed to.

The question that clause 595, as amended, do stand part of the Bill was then put and agreed to.

### Clause 595A.

8j. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 595A, in line 5, for the words "to have been amended" the words "to be amended" be substituted.

The motion was then put and agreed to.

The question that clause 595A, as amended, do stand part of the Bill was then put and agreed to.

### Clause 595B.

The question that clause 595B do stand part of the Bill was then put and agreed to.

# Clauses 596-607.

The question that clauses 596 to 607 do stand part of the Bill, was then put and agreed to.

# Clause 608.

**8j. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that in clause 608(b), in line 1, for the word "Vice-Chairman" the words "Deputy Chairman or the Vice-Chairman" be substituted.

The motion was then put and agreed.

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The question that clause 608, as amended, do stand part of the Bill, was then put and agreed to.

### Clause 609.

The question that clause 609 do stand part of the Bill, was then put and agreed to.

### Clause 610.

The question that clause 610 do stand part of the Bill, was then put and agreed to.

# Clauses 611 to 615.

The question that clauses 611 to 615 do stand part of the Bill, was then put and agreed to.

Shaikh MOHAMAD RAFIQUE: Sir, shall we have some breathing time before we take up the schedules?

# Mr. DEPUTY SPEAKER: Let us proceed.

### Schedule 1.

The question that Schedule I do stand part of the Bill, was then put and agreed to.

#### Schedule II.

The question that Schedule II do stand part of the Bill, was then put and agreed to.

### Schedule 111.

The question that Schedule III do stand part of the Bill, was then put and agreed to.

#### Schedule IV.

Sj. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in Schedule IV in the table to rule 1, in item 49, in the second part of column 2, in line 2, after the word and figures "Class II" the word "and" be inserted.

I further beg to move that in Schedule IV, in the table to rule 1, in item 49C, in the second part under column 2, in line 2, after the word and figures "Class II" the word "and" be inserted.

I further beg to move that in Schedule IV, in the table to rule 1, in item 53, in the first part under column 2, in lines 2 and 3, for the words "bazar or theatre" the words "theatre, cinema house" be substituted.

I also beg to move that in Schedule IV, in the table to rule 1, in item 126, in the second part under column 2 in lines 2 to 9, the words and figures "and the rent as valued under Chapter XI or the fair letting value of whose place of business, is Rs. 15 per mensem or upwards" be omitted.

Lastly, I beg to move that in Schedule IV, in the table to rule 1 in item 50 in the second part under column 2 the words and figures "or Class IV" be added at the end.

The motions were then put and agreed to.

The question that Schedule IV, as amended, do stand part of the Bill, was then put and agreed to.

# Announcement about the Governor's arrival in the Chamber.

- Mr. DEPUTY SPEAKER: Before I adjourn the House, I want to make an announcement that His Excellency the Governor of West Bengal is coming at 4-30 p.m., and I hope members will be present then.
  - (A VOICE FROM THE OPPOSITION: In this Chamber?)
- Mr. DEPUTY SPEAKER: Yes. The House stands adjourned till 6 p.m. today.

SJ. SIBNATH BANERJEE: Why 6 p.m.? Let it be to-morrow.

The Honble Dr. BIDHAN CHANDRA ROY: No, Sir. The arrangement is that we shall finish one or two other items today and then have the third reading to-morrow.

(At this stage the House was adjourned till 6 p.m. today.)

(After adjournment.)

### Schedule V.

Shaikh MOHAMAD RAFIQUE: Sir, I beg to move that in Schedule V. for ward No. 23, the following be substituted, namely:—

"No. of the Ward.	On the North.	On the South.	On the East.	On the West.
23A	Mechua Bazar Street.	Harrison Road	College Street	Chitpur Road Lower.
23B	Harrison Road	Colootola Street, Zakaria Street.	College Street, Chittaranjan Ave-	Chitpur Road Lower."

I further beg to move that in Schedule V, for ward No. 40, the following be substituted, namely:--

"No. of the Ward.	On the North.	On the South.	On the East.	On the West.
40	Zakaria Street, Colootola Street.	Eden Hospital Road, Peter Lane, Damzen Lane, Terette Bazar Street.	Chittaranjan Avenue, College Street, Phear Lane, Srinath Babu Lane.	Chitpur Road Lower."

I also beg to move that in Schedule V, for ward No. 41, the following be substituted, namely:—

"No. of the Ward. 41	On the North.	On the South.	On the East.	On the West.
	Eden Hospital Road, Peter Lane, Damzen Lane, Terette Bazar Street.	Bow Bazer Street,	College Street.	Chitpur Road Lower."

Sir, I have split up these three wards 23, 40 and 41 into four wards. As contemplated in this schedule, each ward has been allotted one seat.

Sir, from the figures which I have got from the census, the ward which was known as the Colootola ward and at present known as Ward No. 23, 40 and 41 had a population of 90,087 and the present population is about 148,000. Formerly, under the old Act when there were 71 seats for the whole city of Calcutta, 4 seats were allotted to this Ward No. 8. Now, under this Bill with 75 seats, for the city of Calcutta, i.e., 4 seats more than what we have at present, I find that 3 seats have been allotted to this ward though the population and the voting strength has gone up. I have not got the latest figures, but I know, Sir, the Leader of the House will give us some figures which it will not be possible to check or challeng-because he will be the last speaker and his statement will go unchallenged. If he could give me figures now, surely I can give him a reply and correct those figures, but I do not think it will be to his interest to give me the figures now. Sir, I do not know what reason the Government have to take away one seat from this Ward No. 8.

Then, Sir, I find that smaller wards which had a population of 5,600 or 10,000 have been allotted one single seat whereas this Ward No. 8 which had a population of 90,000 then and 148,000 now has been given three seats.

I would just draw your attention to Ward No. 53. This ward is bounded on the north by Sudder Street, on the south by Short Street, on the east by Circular Road and on the west by Chowringhee Road. This is a very small ward. I will just give you the population of this ward. In 1941 the population was 7,540. I will also give you the example of another ward which has been allotted a seat this time and that is, new Ward No. 37. This ward had a population of 10,739 in 1941. Sir, I do not understand how these different allocations were made, but surely, Sir, I feel and everybody would feel the same that small pockets have been created where the number of votes is much less to enable easy election to the Corporation.

Sir, it would have been fair to everybody if the Government had just given us a plan of the city showing constituencies or hung up a plan at a conspicuous place in the Assembly so that members could see the plan and also the boundaries of the wards. Unfortunately, for us who represent Calcutta, we find that a majority of the members here are not much interested in the boundaries of the constituencies as they do not belong to the city of Calcutta. However, I think it my duty to point out to the Government that the allocations which they have made are not fair in any way. Sir, in order to puzzle the members, they have changed the whole nomenclature of the wards. Formerly they used to give the number of the ward and the name of the ward. For instance, Ward No. 5 was called Jorabagan and Ward No. 6 was called Jorasanko. This time they have done away with the whole system. They have only put the number of the ward and it would be very difficult for anybody, however much he might be conversant with the wards of Calcutta, just to find out which area of the city of Calcutta belongs to a particular ward. Now, Ward No. 7 Canning Street, and Ward No. 8, Colootola, have become Ward No. 40 and Ward No. 26, respectively, without name of area. So, I would just ask the Government in all fairness to increase the number of seats for Ward No. 8 to 4 seats.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I tried to follow my friend Mr. Rafique. Evidently he is off the point. He has complained that the Leader of the House has got the figures up his sleeves and he does not let him know and he has the last say in the matter and he has the upper hand. I could have satisfied him if he had only taken the trouble to come to me because the figures are not my own private property. He first of all wants to know on what basis the wards have been distributed and I can tell him that barring one ward—75—which has got 22,000 population, all the other wards have got a population between 37,000 and 42,000. That is the first thing. With regard to the approximate number of voters, each of the wards has got the number of voters between 13,000, 14,000 and 18,000 varying with the size of the ward.

Sir, he has specifically referred to three wards. First of all he said that ward No. 23 has a population of 98,000 at present. Ward No. 23 has got a population of 43,071 and the total number of voters is 17,000. Then he says 40 and 41. 40 has got 45,000; total voters 18,000. 41 has got 45,000; total voters about 18,200. The ward No. 53, he says, has got 7,500; it is 30,430. The ward No. 37, he says, has got 10,000; it is 38,552. So, there must be something wrong in the method of his calculation. I am very sorry we cannot alter the figures. They are there. We have calculated the figures and enough time has been spent over calculating and

seeing that every ward, every constituency is approximately the same as the other, not in area perhaps in some cases, because, for instance, one of the wards that he wants to create, 23A......(Shaikh Mohamad Raffque: We have got 1,800 votes......) Sir, I don't like to be interrupted. He is talking of 23A. Of course it has got a larger area, perhaps because of the fact that the large Medical College compound and the University compound come within its boundary. Zakaria Street comes within 23A. But apart from that I may tell you that we have followed a very systematic process of having a constituency more or less on a uniform basis as far as practicable. Sir, I oppose the amendments.

The motion of Shaikh Mohammad Rafique that in Schedule V, for ward No. 23, the following be substituted, namely:—

"No. of the Ward.	On the North.	On the South.	On the East.	On the West.
23A	Mechua Bazar Street.	Harrison Road	College Street	Chitpur Road Lower.
23B	Harrison Road	Colootola Street, Zakaria Street.	College Street, Chittaranjan Ave-	Chitpur Road Lower."

was then put and lost.

The motion of Shaikh Mohamad Rafique that in Schedule V, for ward No. 40, the following be substituted, namely:—

"No. of the Ward.	On the North.	On the South.	On the East.	On the West.
40	Zakaria Street, Colootola Street.	Eden Hospital Road, Peter Lane, Damzen Lane,, Terette Bazar Street.	Chittaranjan Avenue, College Street, Phear Lane, Srinath Babu Lane.	Chitpur Road Lower."

was then put and lost.

The motion of Shaikh Mohamad Rafique that in Schedule V, for ward No. 41, the following be substituted, namely:—

Ward.	On the North.	On the South.	On the East.	On the West.
41	Eden Hospital Road, Peter Lane, Damzen Lane, Terette Bazar Street.	Bow Bazar Street.	College Street.	Chitpur Road Lower."

was then put and lost.

The question that Schedule V do stand part of the Bill was then put and agreed to.

# Schedule VI.

The question that Schedule VI do stand part of the Bill was then put and agreed to.

### Schedule VII.

The question that Schedule VII do stand part of the Bill was then put and agreed to.

### Schedule VIII.

The question that Schedule VIII do stand part of the Bill was then put and agreed to.

### Schedule IX.

The question that Schedule IX do stand part of the Bill was then put and agreed to.

### Schedule X.

Shaikh MOHAMAD RAFIQUE: Sir, I beg to move that in Schedule X, the following words be omitted, namely:—

"Impregnating; Chimneys;

Economisers;

Elevators and Hoists; Flumes and Conduits:

D. d.

Racks;

Stages, Staithes and Platforms for loading, unloading and handling material:

Tanks; Water; Vats; Weighbridges; Wireless Masts."

Sir, this is a new Schedule which has been added in this Bill. Under section 178 the premises are valued on the basis of rent or on the cost of the building. Sir, this schedule contemplates that if there are machineries in a building, those machineries also will be assessed while computing the price of the premises. This is very unfair. Unfair in the sense that when we pay tax to the Corporation, we pay tax for the services received from the Corporation. If somebody puts in some machineries, which are mainly to be used with godowns or factories, these should not be included in the valuation. For instance, if anybody puts a wireless mast in a premises, why should it be taken into consideration while the value of the premises is assessed? Similarly, the water tanks and other things that I have mentioned in my amendment are few items which are not part of the building—should be excluded from the valuation as they used to be done before.

The Hon'ble Dr. BIDHAN CHANDRA ROY:  $\operatorname{Sir},\ I\ \operatorname{oppose}$  the amendment.

The motion of Shaikh Mohamad Rafique that in Schedule X, the following words be omitted, namely:—

"Impregnating;

Chimneys;

Economisers;

Elevators and Hoists;

Flumes and Conduits:

Racks;

Stages, Staithes and Platforms for loading, unloading and handling material;

Tanks;

Water:

Vats:

Weighbridges;

Wireless Masts."

was then put and lost.

The question that Schedule X do stand part of the Bill was then put and agreed to.

# Schedule XI.

The question that Schedule XI do stand part of the Bill was then put and agreed to.

### Schedule XII.

The question that Schedule XII do stand part of the Bill was then put and agreed to.

### Schedule XIII.

The question that Schedule XIII do stand part of the Bill was then put and agreed to.

### Schedule XIV.

The question that Schedule XIV do stand part of the Bill was then put and agreed to.

### Schedule XV.

The question that Schedule XV do stand part of the Bill was then put and agreed to.

### Schedule XVI

- **8j. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that in Schedule XVI, for the explanation to rule 3(1), the following explanation be substituted, namely:—
  - "Explanation.—If a building be placed at the end of the street, its height, measured from two feet above centre of the street and excluding the parapets as aforesaid shall not exceed—
    - (a) one and one-third times the average width of the street facing the site in case the width of the street is less than sixty feet, and
    - (b) one and half times the average width of the street facing the site in case the width of the street is sixty feet or more:
    - Provided that if the building or one or more of its storeys be set back, the height of the building may be increased, subject to the condition that no portion of the building after the height is increased intersects any of the aforesaid lines."
- Sir, I also beg to move that in Schedule XVI, in Rule 29(7), in line 1, for the words "If there be building on three sides of" the words "If there be building other than boundary wall on not more than three sides of" be substituted.
- Sir, I further beg to move that in Schedule XVI in rule 30(2), in line 3, for the words "seventy-one and a half degrees" the words "sixty-eight degrees" be substituted.
- Shaikh MOHAMAD RAFIQUE: Sir, this is really unfortunate that the mover of the amendments just now did not explain the implication of the amendments. He has mentioned so many technical terms but, did not explain what he meant by them.

Sir, I beg to move that in Schedule XVI, in rule 23, line 2, for the word "two-thirds" the word "three-fourths" be substituted.

I beg to move that in Schedule XVI, in rule 23, line 4, for the words "one-third" the words "one-half" be substituted.

I also move that in Schedule XVI, in rule 29(1) line 2, for the words "one-fourth" the words "one-fifth" be substituted.

I further move that in Schedule XVI, in rule 29(7), lines 2 and 3, for the words "seventy-one and a half" the words "seventy-two" be substituted.

I also move that in Schedule XVI, in rule 30(2), line 3, for the words "seventy-one and a half" the words "seventy-two" be substituted.

Sir, my first amendment is with regard to Schedule XVI, and I have suggested that in place of two-thirds, three-fourths be substituted. It will appear from the Bill that this rule deals with the area of land to be covered in a construction. It is provided that the total area to be covered should not exceed two-thirds of the area and one-third will have to be kept open. In Calcutta the value of land is very very high, ranging from Rs. 5000 to Rs. 75,000 per cottah. When the last Act of 1923 was passed the value of land was not so high but now that the price of land is so high, I do not think that we should insist on one-third open. Actually what happens is this: the owners of land cover more than two-thirds in some way or other and the building committee relaxes the rule. I think therefore that this is a reasonable amendment in keeping with times and value of land. We know that in Calcutta less than 20 per cent, of the houses have been constructed in accordance with the Building rules while 80 per cent. have infringed the rules with impunity. From 1935 onwards every building has violated rule 23 of the present Act. In constructing a house one has to leave some back space and some side space. In one of the rules it is also incumbent on the owners of houses to leave open a courtyard. So if all this space is left open, there will be hardly anything left for construction. Therefore, to be reasonable one must give the owners three-fourths of the area for construction of houses and enjoin that he keeps open one-fourth of the area. If a house is constructed in this way it will not only be well ventilated but also give more accommodation. The Government having a majority can pass any measure that they want to. But a measure should not be passed without assigning any reason. Sir, conditions have changed since 1923. In Calcutta proper the land value is now very high, and we shall have to find out some way that well ventilated houses are constructed and space is not unnecessarily wasted. People cannot afford to construct houses under these rules. In Calcutta land owners are not constructing houses because the rules are very stringent. Of course, there are persons who are influential and they can manage always to construct houses according to their own liking intringing all the building rules. For instance, who does not know that a very big warehouse had been constructed in the Canning Street area which has now been converted into a big market and its construction has violated all the rules. The violation of the rules was condoned by the Commissioner of the Calcutta Corporation. However, Sir, these things will continue to happen if the present rules are retained. The new rules are not to apply to a particular area of land. It will apply to everybody even to a person holding a cottah of land. Out of an area of 720 sq. ft. if one has to keep open 240 sq. ft. how then will one be able to construct a house on 480 fts. keeping a courtyard open? Within the space thus left it will be necessary for him to construct a bathroom, a kitchen and other structures and practically nothing will be left for his bed room and sitting room. For this reason I have moved this

amendment that in Calcutta proper for the convenience of construction of houses some of these rules should be changed. Dr. Roy when he was a Councillor of Calcutta Corporation was not a member of the Building Committee. That Committee felt on several occasions that the rules for the construction of buildings in Calcutta needed to be drastically changed, otherwise people will not be able to construct buildings on their vacant land.

With regard to my second amendment, regarding erection of detached houses, I have proposed that in place of "one-third" "one-half" should be substituted. In Calcutta all land beyond Lindsay Street is called Detached area. For any construction on land in this area one has to leave two-thirds open, and construct only on one-third of the area. There are houses with enormous open land in front but on account of the present rules only one-third can be constructed upon. Sir, conditions have changed since the present act was passed. The population of Calcutta has increased and there has been an acute shortage of houses. The present day condition does not warrant that open land should not be constructed upon simply because the rule permits construction on half of the land. If the present rule is retained then many of the houses which can be constructed on useful open land will never be constructed. In 1923 of course there might have been the necessity of keeping much space open, but things have changed now and we have an acute shortage of houses. If a man in North Calcutta, Kalighat or Tollygunge area is allowed to construct on two-thirds of his area, then why should not a man who has a plot of land in Theatre Road, Short Street or Park Street be allowed the same facility?

My third amendment on rule 29(1), deals with courtyard. It is contemplated that one must leave back space and side space and also leave a courtyard of not less than 100 sq. ft. or one-fourth of the area as a courtyard. If from every side you take away a certain portion of the land, it will be a great hardship on the owner of the land to construct his house as he will have left practically nothing on which to construct. That is why I have provided that in place of "one-fourth", "one-fifth" should be substituted.

My next amendment is regarding the back angle. The Select Committee agreed to have the back angle of 71½ degrees. My friend Mr. Sushil Kumar Banerjee, whom I pity very much, for he is made to move amendments which he does not understand, has moved that it should be sixty-eight degrees. What does he mean? When a house is constructed one must leave a certain open space on the back, the angle of which should not be more than 71½ degrees if taken from the other end of the boundary of the land. Formerly, Sir, it was 63 degrees. And the Government and the Select Committee unanimously decided to make this angle bigger so that people can erect and construct higher houses than at present leaving back space of 71½ degrees. That unanimous decision of the Select Committee is now being done away with by this late hour amendment of Mr. Sushil Kumar Banerjee who has moved that this angle be reduced to 68 degrees. Sir, he has not understood the amendment nor knows its implications. Somebody has advised him to move for 68 degrees and he has simply carried out his master's behest.

Now, Sir, if the back angle is 71½ degree one can construct about 30 feet high building on 10 feet back space. I have moved an amendment that it should be 72 degrees. Supposing one wants to construct a house on two cottahs of land, one has to leave a back space of ten feet width. And if my amendment is accepted and the angle is made 72 degrees, then

one can construct a three-storeyed house of 30 ft. height leaving 10 ft. back space. But if the angle is reduced to 68 degrees you can only construct a two-storeyed building. In the Bill Government had put it at 711 degrees. If half a degree is added it would make calculation easy. So I have suggested 72 in place of 711 and that would mean three times the length of the back space. A Daube caste man wanted to become Chaube. but ultimately he become a Chabbe a much inferior caste. Whereas I wanted the angle to be 72 degrees so that it would give height of building equal to three times the width of the back space the Government has reduced it to 24 times. That would really mean a great hardship. It is impossible for a man to construct a house leaving ten feet back space and raising it to a height of 22 feet. Many times different recommendations had been made by the Corporation in this matter and in one of the committees which was recently appointed by the Corporation to go into the building rules, it was definitely suggested that this back space should be 72 degrees. I learn that the City Architect of the Calcutta Corporation has suggested that it should be 71½ degrees. I think perhaps in his calculation he must have made a slight mistake and this 711 degrees was accepted by Government. But I do not know what happened since then to compel the Government to accept 68 degrees. If Government want, they can make it 60 degree or anything they like, but I can assure them that this rule will never be observed because it is practically impossible to construct a house with an angle of 60 degree. Whatever the Leader of the House might have done in other clauses I would request him not to change this angle because this will do away with the little prospect we have of constructing houses on valuable lands in Calcutta. So I have suggested the substitution of 72 for 711 in rule 29(7) and a similar consequential change in rule 32(2).

With regard to amendment No. 309 I do not wish to move it now. I shall move it after the other amendments are disposed of.

 $\mbox{Mr. DEPUTY SPEAKER:} \ \ I \ \ {\rm take} \ \ {\rm it} \ \ {\rm you} \ \ {\rm have} \ \ {\rm moved} \ \ {\rm it}.$  If not, you should move it now.

Shaikh MOHAMAD RAFIQUE: I do not want to move it at this stage. However, Sir, if you so desire, I move that in Schedule XVI, in rule 30(2), line 8, for the word "eighty" the words "one hundred" be substituted.

**8]. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that in Schedule XVI, in rule 55(I), in line 3, for the words "ten thousand rupees" the words "twenty-five thousand rupees" be substituted.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, with regard to the amendments of Mr. Rafique I can sympathise with him with regard to allowing a larger area of the land to be built upon. My only fear is that if you allow three-fourths of the land to be built upon, there will hardly be any space left over as side and back spaces, and therefore I cannot accept his amendment No. 302. But with regard to amendment No. 303, I think that amendment can be accepted, namely, to allow the owner of the land to build upon one-half of the area and not one-third as at present.

With regard to the other items I may tell Mr. Rafique that as regards all those figures I confess it is one of the things which I have never gone into because I have never been on the Building Committee. But every one of these amendments has been given to us by Mr. Ganguly, the Chief Engineer of the Corporation, who has a larger experience of the building

rules in the Corporation than anybody else. I have accepted that, and I can give an assurance to Mr. Rafique that if there is any mistake anywhere we might put in an amendment later on.

Shalkh MOHAMAD RAFIQUE: Why are you changing your rules?

The Hin'ble Dr. BIDHAN CHANDRA ROY: Those are the amendments which have been proposed by Mr. Ganguly after the Select Committee met, and I have followed him because he is an expert in the line. It is not Mr. Sushil Banerjee who has done it. Therefore, I am afraid, I cannot accept any of the other items except amendment No. 303 with regard to changing the word from "one-third" to "one-half".

The motion of Sj. Sushil Kumar Banerjee that in Schedule XVI, for the explanation to rule 3(I), the following explanation be substituted, namely:—

- "Explanation.—If a building be placed at the end of the street, its height, measured from two feet above centre of the street and excluding the parapets as aforesaid shall not exceed—
  - (a) one and one-third times the average width of the street facing the site in case the width of the street is less than sixty feet, and
  - (b) one and half times the average width of the street facing the site in case the width of the street is sixty feet or more:
  - Provided that if the building or one or more of its storeys be set back, the height of the building may be increased, subject to the condition that no portion of the building after the height is increased intersects any of the aforesaid lines.",

was then put and agreed to.

The motion of Shaikh Mohamad Rafique that in Schedule XVI, in rule 23, line 2, for the words "two-thirds" the words "three-fourths" be substituted, was then put and lost.

The motion of Shaikh Mohamad Rafique that in Schedule XVI, in rule 23, line 4, for the words "one-third" the words "one-half" be substituted, was then put and agreed to.

The motion of Shaikh Mohamad Rafique that in Schedule XVI, in rule 29(1), line 2, for the words "one-fourth" the words "one-fifth" be substituted was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in Schedule XVI, in rule 29(7), in line 1, for the words "If there be building on three sides of" the words "If there be building other than boundary wall on not more than three sides of" be substituted, was then put and agreed to.

The motion of Shaikh Mohamad Rafique that in Schedule XVI, in rule 29(7), lines 2 and 3, for the words "seventy-one and a half" the words "seventy-two" be substituted was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in Schedule XVI., in rule 30(2), in line 3, for the words "seventy-one and a half degrees" the words "sixty-eight degrees" be substituted, was then put and agreed to.

The motion of Shaikh Mohamad Rafique that in Schedule XVI, in rule 30(2), line 3, for the words "seventy-one and a half" the words "seventy-two" be substituted, was then put and lost.

The motion of Shaikh Mohamad Rafique that in Schedule XVI, in rule 80(2), line 8, for the word "eighty" the words "one hundred" be substituted, was then put and lost.

The motion of Sj. Sushil Kumar Banerjee that in Schedule XVI, in rule 55(1), in line 3, for the words "ten thousand rupees" the words "twenty-ive thousand rupees" be substituted, was then put and agreed to.

The question that Schedule XVI. as amended, do stand part of the Bill was then put and agreed to.

# Schedule XVII.

The question that Schedule XVII do stand part of the Bill was then put and agreed to.

### Schedule XVIII.

Shaikh MOHAMAD RAFIQUE: Sir, I beg to move that in Schedule XVIII, item 8, the following word be omitted, namely:—

"Leather,".

Sir, this is the last amendment which I have the honour to move, Sir, this Schedule deals with offensive trades, trades which are considered as offensive and for which a special health licence is taken. In this list there are bones, blood, asphaltum, and so on, but, Sir, unfortunately, this word "leather" is also included in this list. In the previous list of the offensive trades under the Schedule, the word "leather" did exist but since 1934 there has always been a controversy as to whether leather comes under the category of offensive trades and sometimes the Corporation thought that all those people who dealt in leather goods, for instance, shoes, chappals, hand bags and money bags, would have to take a licence under this section. This matter came up before the Corporation several times and different interpretations were put in. The result was that we never used to charge licence under this section from those people who used to store leather or used to keep leather goods. In some cases licence used to be charged but whenever they appealed the license was refunded. Since an opportunity has come for recasting of this Schedule I thought it was my duty to mention that leather or leather articles should not form part of offensive trades and it is time, Sir, that this word "leather" is taken out. Otherwise, all these shop-keepers in the city of Calcutta who deal in leather goods will have to take two licences—one for the trade licence which everybody who plies a trade in the city will have to take, and the second licence under the offensive trades. I do not think the word "leather" should come under the category of offensive trades.

So, I hope, Sir, this last amendment of mine which is very reasonable should be accepted by the Chief Minister at least as an act of grace to show that he is amenable to acceptance of a reasonable amendment.

The Honble Dr. BIDHAN CHANDRA ROY: Sir, I do not understand why he says that this schedule applies to offensive trades. I find the schedule says this: "Storing, packing, pressing, cleansing, preparing or manufacturing, by any process whatever, any of the following articles, in excess of the quantity prescribed for each such article by the Corporation in this behalf" and in that list comes leather. It has got two safeguards. The Corporation shall prescribe the quantity that can be stored or packed or pressed and so on. If that quantity is exceeded, then only you take a licence. I do not see how a man who deals in leather should



take a licence. I do not understand why he should take a licence. He takes a licence only if the quantity that is stored or packed or pressed, etc., is above a certain figure or a certain quantity prescribed by the Corporation. Sir, I oppose the amendment.

The motion of Shaikh Mohamad Rafique that in Schedule XVIII, item 8, the following word be omatted, namely:—

"Leather,"

was then put and lost.

The question that Schedule XVIII do stand part of the Bill, was then put and agreed to.

### Schedule XIX.

The question that Schedule XIX do stand part of the Bill, was then put and agreed to.

### Schedule XX.

The question that Schedule XX do stand part of the Bill, was then put and agreed to.

### Schedule XXI.

The question that Schedule XXI do stand part of the Bill, was then put and agreed to.

### Schedule XXII.

The question that Schedule XXII do stand part of the Bill, was then put and agreed to.

Mr. DEPUTY SPEAKER: Some clauses were held over. These will be taken up now.

### Clause 5.

Mr. DEPUTY SPEAKER: Is there any amendment to this clause?

- **8j. SUSHIL KUMAR BANERJEE:** Yes, Sir. I beg to move that in sub-clause (44)(a) of clause 5 in line 2 after the words "article of food" the words "of a perishable nature" be inserted.
- **8J. SUSHIL KUMAR BANERJEE:** Sir, I beg to move that in subclause (44)(b) of clause 5 in the last line after the word "stalls" the words "exceeding a number to be prescribed by the Corporation by the rules" be added.

The motions were then put and agreed to.

The question that clause 5, as amended, do stand part of the Bill, was then put and agreed to.

### Clause 7.

The question that clause 7 do stand part of the Bill, was then put and agreed to.

### Clause 8.

The question that clause 8 do stand part of the Bill, was then put and agreed to.

### Clause 433A.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, there is one other clause, namely, clause 433A which was left over for the purpose of putting it in a proper shape, and the form in which it now appears is as follows: "Subject to the provisions of any law relating to the trade unions, industrial disputes or the maintenance of essential services no mehtar or other servant of the Corporation, who is employed to remove or otherwise deal with sewage, offensive matter or rubbish, shall, without the permission of the Corporation, withdraw from his duties without giving any notice of his intention so to withdraw." My honourable friend Sj. Hemanta Kumar Basu has seen the amendment, and he has accepted it.

Mr. DEPUTY SPEAKER: All right. Let the Chief Whip move it.

SJ. SUSHIL KUMAR BANERJEE: Sir with your permission I beg to move that for clause 433A the following be substituted, namely:—

433A. Subject to the provisions of any law relating to the trade unions, "Notice to industrial disputes or the maintenance of essential services no be given by mehtar or other servant of the Corporation, who is employed to mehtars, before with draw. bish, shall, without the permission of the Corporation, withdraw bish, shall, without giving any notice of his intention so to withdraw."

The motion was then put and agreed to.

Mr. DEPUTY SPEAKER: The amendment No. 287 of Sj. Hemania Kumar Basu fall through.

### Preamble.

The question that the Preamble do stand part of the Bill, was then put and agreed to.

# Adjournment,

The House was then adjourned at 6-56 p.m. till 3 p.m. on Thursday, the 1st November, 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 1st November, 1951, at 3 p.m.

### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 10 Hon'ble Ministers and 59 Members.

# STARRED QUESTIONS

(to which oral answers were given)

# Scarcity of rice in Sundarban areas

- \*49. (SHORT NOTICE.) SJ. HEMANTA KUMAR BASU; Will the Hon'ble Minister in charge of the Food Department be pleased to state—
  - (ক) স্থন্দরবন এলাকায় চাউলের দর এখন কভ;
  - (ধ) তিনি জানেন কি যে, গত আখিনে (১৩৫৭) স্থায় বাঁধ ভালার কলে নোনা জলে স্ফুল্রবনের অধিকাংশ ফাল নই হইয়াছে:
  - (গ) যদি জানিয়া থাকেন, তবে জমির কত কদল নট হইয়াছিল; এবং
  - (খ) ক্ষমন্ত্রন এলাকায় বর্দ্তমানে ছডিক্ষের অবস্থা ইইরাছে কি না এবং ইইরা থাকিলে তিনি ইহার প্রতিকারের জন্ম কি কি বাবসা করিরাছেন ?

MINISTER in charge of the FOOD DEPARTMENT (the Hon'ble Prafulla Chandra Sen): (ক) ২৪-পরগণা জেলার তিনটি মহকুমার জংশ লইরা ফুক্ষরবন জক্লা। এই জিনটি মহকুমার জ অঞ্চলের চাউলের দর বর্ত্তনানে—ভারমণ্ড হারবারে ২০১ হইতে ২৪১, সদরে ২১১ হইতে ৩৭১ এবং বিদিরহাটে ৩১১ হইতে ৪৬১।

- (খ) হা। বাধ ভাঙ্গিয়া নোনা জল প্রবেশ করায় অনেকথানি ভ্রমিতে ফসল নই হয়।
- (গ) ২০,২০০ একর জমির ফদল সম্পূর্ণ নষ্ট হয় এবং ৩০,০০০ একর জমির ফদল আংশিকভাবে ক্ষতিপ্রস্ত হয়। মোট ক্ষতির পরিমাণ ১৯,৪০০ টন ধান্ত।
- (च) ছভিজের অবহা স্ট ইইয়াছে বলাধায় না। তবে চাউলের উচ্চ মূল্যের অভে সদর ও
   বিসিহাট মহকুমায় অনুসাধারণের অন্ধবিধা ইইছেছে।

শবভার প্রতিবিধানের জন্ত সদর ও বসিরহাট মহকুমার আংশিক বরাদপ্রথা প্রবর্তিত হইয়াছে। স্থান্দর্বন অঞ্চলে যাঁহার। এই বরাদ্বাবভার সরবরাহ পাইতেছেন তাঁহাদের হিদাব এইরণ—

মহকুমা।	थाना ।	মোট (লাকসংখ্যা (দে <b>লা</b> স অমুধারী)।	আংশিক বরাদ্যপ্রাপ্ত লোকসংখ্যা।
স্কর	জয়নগুর (অংশ)	545,8kb	<b>2</b> 0,৫৬৬
	ক্যানিং (সংশ)	১৫৭,০৭৬	৮৮,৬৫৭
ৰসিরহাট	<b>म</b> टन्समथानि	১৬৮,৩২২	>>8,>@9
	হাস্নাবাদ	<b>386,06</b> 6	90,962
	হারোরা	b>,6>8	8৮,৬৬১

ভাগমণ্ড হারবার মহকুমার চাউলের মূল্য অপেকাক্সত কম। এ অঞ্লে প্ম দিবার ব্যবস্থা কর। নক্ষেও ভাষা কাট্তি হর নাই। 8j. HEMANTA KUMAR BASU: माननीत नहीं परांत्र वन्दरम कि ता बारे मुणवनता छोटा परांत्र परिवार कछ ?

The Hon'ble PRAFULLA CHANDRA SEN: নোটিশ দিলে নিশ্চমই বকুৰো।

Sj. HEMANTA KUMAR BASU: বাননীয় নহী বহাপর (४) পুশেনর উদ্ভৱে বলেছের বে, "বাঁব ভালিয়া নোনা জল পুবেশ করার জনেকথানি জনিতে ফলল নট হয়"। এই বাঁধরক্ষা করার কি ব্যবহা করা হয়েছে?

The Hon'ble PRAFULLA CHANDRA SEN: এই বাঁধ রকা করার ব্যবহা করা Food Department এর কাজ নয়, এটা সেই সংশ্লিষ্ট department পুশু করনে নিশ্চরই জানতে পারবেন।

8j, HEMANTA KUMAR BASU: মাননীয় মহী মহাশয় জানেন কি যে এই বাঁধগুলি বক্ষা করলে, স্থলববনের কগল তাল হব ?

The Hon'ble PRAFULLA CHANDRA SEN: আবি বলেছিত যে এব সংশ্লিষ্ট বিভাগকে অনুগুহ করে পুণু করলেই তার উত্তর পাবেন।

8]. DEBENDRA NATH SEN: In regard to reply (7) will the Hon'ble Minister please state when in his opinion famine conditions would have come to prevail? What are the conditions which will satisfy him about it?

The Hon'ble PRAFULLA CHANDRA SEN: It is a matter of opinion and it does not arise.

8]. DEBENDRA NATH SEN: With regard to reply to the same question where he has stated that famine conditions cannot be said to have come in, will the Hon'ble Minister please state the reasons for his statement.

The Hon'ble PRAFULLA CHANDRA SEN: There is no famine condition existing there.

8j. HEMANTA KUMAR BASU: (ব) পুপুের সম্বন্ধে বলতে চাই বে, বাননীর মন্ত্রী নহাপর বলেছেন যে তাদের আংশিক বরাদ্ধ পেওয়া হচেছ। কিন্তু তারা এই আংশিক বরাদ্ধ আধ সেরের বেশঃ পাচেছ না, এটা কি ঠিক ?

The Hon'ble PRAFULLA CHANDRA SEN: আনাদের নিয়ন হচেছ বে, যারা প্রাপ্তবরক অর্থাৎ adult, তারা সপ্তাহে দেড় সের চাল ও গম পাবে, এবং যারা আট বংগরের কম, যাদের আমররা children বলি ভারই এক সের করে পাবে। এবানে মাননীয় সদস্য মহালয়দের অবগতির জন্য বলতে চাই যে অধিকাংশ জারগাতেই গম নিতে চাচেছ না। আমার উত্তরে বলেছি যে গম পুচুর পরিমাণে দেওয়া সমেও তারা নিচেছ না।

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether it is a fact that for the purpose of giving rations the people have been divided into A, B and C, and ration is being given to A class only?

The Hon'ble PRAFULLA CHANDRA SEN: It is a fact that ration is given to all the A class people and to a certain number of B class people and in some cases even to C class people.

Sj. DEBENDRA NATH SEN: Will the Hon'ble Minister please state that people under A class are those who pay the highest chaukidari tax?

The Hon'ble PRAFULLA CHANDRA CEN: No. A class people are those who either do not pay any chaukidari tax or pay chaukidari tax up to eight annas.

8]. SIBNATH BANERJEE: Supplementary question, Sir, নাননীর বরী বহাপর কলবেন কি বে, তিনি (ক) পুশের উভরে বলেছেল বে চালের দান কর্ডনালে এন্ড; এই বর্তনালী কন্ত দিন আগে ? এই informationটা কি তিনি আপেই নিয়েছিলেন, না কাল হেমন্ত বাবু মধন মন্ত্রন বে আবার short-noticeটার কি হল বলে remind করলেন তার পরে এই informationটা correct করেছেন ?

The Hon'ble PRAFULLA CHANDRA SEN: কবে তা ঠিক বল্ডে পারি না। তবে এইটা বলতে পারি বে বাননীয় হেমন্তবাব প্রশুটা দেবার পরেই এই দিনিঘটা সংগ্রহ করা হরেছে।

8J. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether Sunderban is considered as a surplus area?

The Hon'ble PRAFULLA CHANDRA SEN: I want notice, because Sunderban area, as I have told you, comprises many subdivisions. There are surplus pockets in the Sunderban area.

8J. DEBENDRA NATH SEN: I mean Basirhat and particularly Sandeshkhali, Hasnabad and Haroa.

The Hon'ble PRAFULLA CHANDRA SEN: Basirhat is not a surplus area.

8j. DEBENDRA NATH SEN: With regard to reply ( \*) in respect of Basirhat, will the Hon'ble Minister please state whether there has been a total failure of crop or a partial failure of crop there?

The Hon'ble PRAFULLA CHANDRA SEN: To which year do you refer?

8J. DEBENDRA NATH SEN: To this year.

The Hon'ble PRAFULLA CHANDRA SEN: This year the crops are still standing in the fields.

8]. DEBENDRA NATH SEN: Will the Hon'ble Minister please state whether giving ration, whether partial or full, to fifty per cent. of the population will feed the whole population in view of the fact that there has been a total failure of crop this year due to flood and other factors?

The Hon'ble PRAFULLA CHANDRA SEN: The premises are wrong. There has not been a total failure of crop anywhere.

8j. DEBENDRA NATH SEN: In view of the reply just now given if there has not been a total failure of crop, how the fact comes in that the price, according to his admission, is Rs. 46 per maund there?

The Hon'ble PRAFULLA CHANDRA SEN: The price of rice does not depend on failure or partial failure of crops but it depends on many factors.

8J. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state what are the causes on which prices of crop or rice depend?

The Hon'ble PRAFULLA CHANDRA SEN: If you put in a separate question, I will give an answer.

Sj. SIBNATH BANERJEE: Supplementary question, Sir, নাননীর নহী বহাপর অক্ষাক আহেন কি বে ডিনি বে census অনুবাহী আক্সাংবায় দিনেব, তার পালেও বহু হাজার কেল, বহু বন্দ হৈছিলত হলত এই নৰ ভাষধান এনে ববেছে ?

The Hon'ble PRAFULLA CHANDRA SEN: Consussur figure স্মূরারী বলেছে এবং নাননীর সদস্য বহাপরকে এ কথাও বলছি বে ১৯৫১ সালের বার্চ বানের পর এবানে বন্ধ বন্ধ হাতিপ্রভাগ সালেনি।

**8j.** SIBNATH BANERJEE: নাননীৰ নত্ত্তী বহুপৰ বৰুবেন কি বে, কোন আৰগাৰ ঠু, কোন আৰগাৰ কু, কোন আৰগাৰ কি চুন কুনাৰ কাৰণ কি চুন কুনাৰ কুনাৰ কাৰণ কুনাৰ কুন

The Hon'ble PRAFULLA CHANDRA SEN: এই differenceএৰ ডিনটা কাৰণ আছে। প্ৰথম হল, বেখানে refugee এনে জবেছে নেখানে তারা সকলেই আংশিক বরাছ পাছেছ। মিতীর কারণ হচেছ, কোন কোন অঞ্চলে কিছু কিছু test relief হিসাবে কিছু লোককে modified rationing বেওয়া হচেছ এবং কোন কোন অঞ্চলে (c) ration'ও বেওয়া হচেছ।

8j. SIBNATH BANERJEE: এই যে বাননীয় বহী মহাপ্ত বেছেন যে ২০,২০০ একৰ জমির ফসল সম্পূর্ণ নই হয়েছে, যাদের জমির ফসল সম্পূর্ণ নই হয়েছে, আদের জমির ফসল সম্পূর্ণ নই হয়েছে কাশের কোন graduitous relief বা কোন test reliefdর ব্যবস্থা করা হয়েছে কি লাং

The Hon'tile PRAFULLA CHANDRA SEN: আনার বজুবুর জানা আহছে তাতে নিশ্চমই করা হয়েছে। তবে যদি এর সংখ্রিষ্ট বিভাগকে পুশু করেন তাহকে জানতে পাবেন।

**3j.** DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether it is a fact that while procuring rice for the Government no legitimate surplus was left for the people of the locality?

The Hon'ble PRAFULLA CHANDRA SEN: It is absolutely wrong.

SJ. KANAI LAL DE: বাননীয় ব্যামহাণৰ (क) পুশেষ উভবে বলেছেন বে কোণাও কোণাও ৪৬, টাকা পৰ্য্যন্ত চালের দান হবেছে, অৰ্থচ (ব')এর উভবে বলেছেন বে, "বুভিক্ষের অব্যা স্টাই হরেছে বলা বার না," তাহলে তিনি কত টাকা চালের দান হলে বুভিক্ষের অব্যা স্টাই হরেছে বলে বনে করনে ?

The Hon'ble PRAFULLA CHANDRA SEN: It is a matter of opinion. তবে বেখানে চালের দান বেশী হয়েছে, দেখানেই আনরা গরীব শ্রেণীর লোকদের; বাদের ক্রয়ক্ষরতা কর, তাবের modified ration দিচছ।

8j. KANAI LAL DE: দিচেছ্ন। কিছ মাধাপিছু কত করে দিচেছ্ন ?

The Hon'ble PRAFULLA CHANDRA SEN: बो अर्थि बना इरबर्छ।

8j. HEMANTA KUMAR BASU: ফসল নট হবে যাওয়ার পর সেধান থেকে procurement করা হবেছে কি না ?

The Hon'ble PRAFULLA CHANDRA SEN: নাননীর সদস্য মহাপর নিশ্চমই জানেন যে procurement surplus producerপের কাছ থেকেই করা হয়।

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether he has been receiving news of starvation in that area?

The Hon'ble PRAFULLA CHANDRA SEN: No.

8j. HEMANTA KUMAR BASU: আমি আপনাকে জিজাসা করছিলাব বে, আংশিক কপল নই হওবার পর দেখান খেকে producement করা ছয়েছে কি না ?

The Hon'ble PRAFULLA CHANDRA SEN: আংশিক কলন নই হরেছে। নেই জন্ম বানের ১৫ বিবা কবি আছে তানের কাছ কেকে শিক্তাই procurements করা হর বাই। ওবে বে লবড বড় বড় surplus producers আছে, তানের নারা বংগারের প্রাংগ, বিবাসুতি বীক বান ইত্যাধি বাদ দিরে আবার এ৯০০০০ করে বা বার্বা করেছে।

8]. HEMANTA KUMAR BASU: चार्षि विकासी क्वेडियांचे देवे व्यक्तिकार केविकार क्वेडियांचे देवे व्यक्तिकार क्वेडियांचे क्वेडियंचे क्वेडियांचे क्वेडियांचे क्वेडियांचे क्वेडियांचे क्वेडियांचेचे क्वेडियांचे क्वेडियांच

The Hon'ble PRAFULLA CHANDRA SEN: এই সুশারবন areace আবরা বেবানে procurement कता वारत वरण करताह (नवान परक्टे छप् procure क्या करताह। क्येतन करनामात्तार्थं करनामात्तार्थं करनामात्तार्थं करनामात्तार्थं करनामात्तार्थं करनामात्तार्थं करनामात्तार्थं करनामात्तार्थं करनामात्तार्थं

8j. KANAI LAL DE: বাননীয় মহীমহাশয় বল্বেন কি বে, বেখানে ৪৬১ টাকা চালের পার হয়েছে, শেখান খেকেও procurement করা হয়েছে কি না ?

The Hon'ble PRAFULLA CHANDRA SEN: নিশ্চমই করা হরেছে। জোনা হলে শে চাল কোলকাডার বড় বড় বাবুদের খাওয়ার জন্য চলে আসক্ষে।

8j. DEBENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether he has received the report that the deaths of Mari Sardar's son and wife in Hasnabad——

The Hon'ble PRAFULLA CHANDRA SEN: I want notice.

SJ. DEBENDRA NATH SEN: Without hearing my question, Sir, he wants notice!

The Hon'ble Dr. BIDHAN CHANDRA ROY: It is only a repetition of the case

8]. PRAMATHA NATH BANDYOPADHYAY: বাননীয় ব্যত্তীব্যা বলেছেন বে, বাদের ১৫ বিষার বেশী ক্ষরি আছি, যে সবন্ধ বড় বড় জোতদার, বাদের surplus ধান, তাদের ধাঙরার ও চামের ক্ষয়া বাদ দিরে procurement করে ধাকেন। কিছ এই সবন্ধ বড় বড় জোতদারদের পাশাপাশি এমন লোক থাকে, বাদের ধান কিনে থেতে হর, কিছ ভারা এদের কাছ থেকে ধান কিনতে পারতো, কিছ আপনারা procurement করেন বলে এই সবন্ধ জারপার ৪৬, চাকা চালের দর উঠেছে এবং পুভিক্ষের সভাবনা হরেছে, এই কথা বরীবহাশর বীকার করেন কি ?

The Hon'ble PRAFULLA GHANDRA SEN: এটা একেবারে তুল কথা। তবে বাননীর সদস্যবহাণরের অবগতির জন্য আনি বল্ডে পারি যে ২৪-পরগণা জেলার, হাসনাবাদে প্রার ১৫ লক্ষ্ লোক modified rationing পান। এ বাদেও প্রায় ১৪ হাজার টন statutory rationing পাচেছ। এ ছাড়াও নভেছর রাসে আমরা ৫০ হাজার টন গম ও চাল দিচিছ। আমাদের উদ্দেশ্য হচেছ যে, যাতে গারীবরা অবপ মুল্যে চাল কিনে খেতে পারে। আমরা অক ক্ষে হিসার করে দেখতে পারি যে ২৪-পরগণা জেলা খেকে যা আমরা procurement করেছি তার হিগুণ আমরা ক্ষেত্ত দিরেছি।

8j. 8iBNATH BANERJEE: মাননীয় মন্ত্ৰীমহাশয় জানাবেদ কি তিনি বে নবেছর মাসের কথা বলেছেন এটা কোন বছরের নবেছর।

The Hon'ble PRAFULLA CHANDRA SEN: नारवधन, ১৯৫०।

8j. PRAMATHA NATH BANDYOPADHYAY: তাহলে নাননীর মন্ত্রীবহাশর এখন বলুনে বে ওঁরা বে procurement করেন, লেটা স্থানীর rationingএর জন্যই করা হয়, কিন্তু পূর্বে তিনি বলেছেন বে কলকাতার বাবুদের থাওয়ার জন্যই কেটা থকচ হয় তবে লেটা কি ভুল। (The Hon'ble Dr. Bidhan Chandra Roy: উভবই, বেষন কলকাতার বাবু ও বেদিনীপুরেরও বাবু।)

The Hon'ble PRAFULLA CHANDRA SEN: পুপুচা আদি বুঝতে পারছিলে, আবার বছল

8j PRAMATHA NATH, BANDYOPADHYAY: स्वीतशांत गूर्व राजहितान procurements रा घरफ लोग क्याकाशत वायुरात वास्तात क्या, जात त्रवं स्वाह्म स्व deficit area वा रा ज्या कार्यात स्वाह्म स्व राजहिता क्या क्या क्या स्व राजहिता क्या स्व राजहिता क्या स्व राजहिता क्या स्व राजहिता क्या The Hon'ble PRAFULLA CHANDRA SEN! আৰি বলেছ ছে: হব কুক্তেurement আহল ২৪-পরগণা জ্বোতে করেছি, সেটা প্রারই অধিকাপেই ২৪-পরগণার statutary rationing এলাকাভূক আরগার জন্যই বরচ হর ভাছাড়া জন্যান্য জেলা থেকে বেগব procurement আনর। করি সেটা এবং আইুলিরা প্রভৃতি বেশ থেকে গব এনে কলকাভার rationingএর ব্যবস্থা করে থাকি।

# Extensions of services of employees of the Calcutta High Court

- \*56. Sj. PRAMATHA NATH BANDYOPADHYAY: Will the Hon'ble Minister in charge of the Judicial Department be pleased to state—
  - (a) the number of employees of the Calcutta High Court who have been given extensions of services;
  - (b) the number of them who are-
    - (i) gazetted officers, and
    - (ii) non-gazetted officers;
  - (c) the number of them who have been given more than one extension;
  - (d) the names and posts of the gazetted officers, if any, who have been given extensions with the number of extensions for each; and
  - (e) the principle of giving extensions to the employees of the High Court?

MINISTER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Niharendu Dutt-Mazumdar): By the courtesy of the Hon'ble the Chief Justice I am able to inform the member as follows:—

- (a) Thirty-four employees of the Calcutta High Court have been retained in service beyond the age of 55 years but not beyond 60.
- (b)(i) Two.
- (ii) Thirty-two.
- (c) Twenty-six.
- (d)(i) Sri M. B. Das Gupta, Deputy Registrar, Original Side, is being retained in service for the fifth time up to the 15th September, 1952.
- (ii) Sri Jnanendra Narayan Bhattacharyya, Second Assistant Registrar, Appellate Side, is being retained in service for the third time up to the 16th December, 1951.
- (e) The principle followed in giving these extensions of services is that laid down in rule 56(b)(i) of the Fundamental Rules and the Government of India, Ministry of Home Affairs, Memo. No. 26/6/48-Ests., dated the 8th September, 1948.
- 8j. PRAMATHA NATH BANDYOPADHYAY: বাননীয় ক্ষীবহাণৰ তাঁর উত্তর (d)(i)এ তে যে বলেছে Sri M. B. Das Gupta, Deputy Registrar, Original side, is being retained in Service for the fifth time up to the 15th September, 1952—তাহলে বোৰ হয় আহো এক বংগর তিনি বাক্ষেত্র।
- Mr. SPEAKER: Mr. Banerjee, all these answers have been supplied through the courtesy of the Hon'ble the Chief Justice. If any further information is required, that also can only be supplied through the courtesy of the Hon'ble the Chief Justice.

8]. DESENDRA NATH CEN: With regard to reply (e) will the Hon'ble Minister be pleased to state what are the principles for giving such extensions?

The Hon'ble NIHARENDU DUTT-MAZUMDAR: I will read out the relevant portion of this particular instruction, which reads as follows:

A ministerial servant who is not governed by sub-clause (2) of that particular letter may be required to retire at the age of 55 years but should ordinarily be retained in service, if he continues efficient, up to the age of 60 years.

Now that is the rule which applies in the case of High Court employees, and therefore it is open to the Hon'ble the Chief Justice, if he is of the opinion that a man who has attained the age of 55 but not 60 is yet efficient and may continue in service, then at his discretion the Hon'ble the Chief Justice may retain him up to 60. It is the benefit of that rule which the employees of the High Court enjoy at the discretion of the Hon'ble the Chief Justice.

Mr. SPEAKER: Questions over. The Calcutta Municipal Bill.

# Point of Privilege.

8j. DEBENDRA NATH SEN: On a point of privilege, Sir. In reply to one of my questions earlier this session the Hon'ble the Chief Minister held out the promise that the award of the Tribunal which was appointed for dealing with the sales-tax evasion by the Birlas will be placed before this Assembly. He even boasted that that award would give a lie to the allegation—

The Hen'ble NIHARENDU DUTT-MAZUMDAR: On a point of order.

8]. DEBENDRA NATH SEN: I am on a point of privilege.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: A point of order gets precedence over a point of privilege. My point of order is this.

- Sj. DEBENDRA NATH SEN: Without hearing me how can he raise a point of order?
- Mr. SPEAKER: You have raised a point of privilege referring to certain things on which he now raises a point of order.
  - 3]. DEBENDRA NATH SEN: I have not finished. Sir.
  - Mr. SPEAKER: Before you finish he is rising on a point of order.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: My point of order relates to this, Sir, whether any extraneous matter entirely unrelated to the business before the House at the moment can be brought in in this fashion by raising a question by a member wanting to rise on a point of privilege, a question which has not arisen, which is not before the House for consideration, which is not on the Order Paper of the day as business of the House. My point of order relates precisely to this whether a member can do this. If, Sir, a member can do this, one after another members, if they so desire, may get up and begin introducing all manner of extraneous matter and take as much time as they like on points of privilege which do not arise.

Mr. SPEAKER: Points of privilege are allowed to be raised and a member can rise on a point of privilege and I must hear him.

36. DEBENDRA MATH SEN: My point of privilege is this: In reply to one of the questions put by me, the Hon'ble Chief Minister assured that the award of the Tribunal dealing with the evasion of sales-tax by the Birlas will be placed before this House. He even boasted that that award would give a lie direct to the allegations that we have made. I would like to know whether he is going to fulfil his promise and fulfil his boasting.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I did not say that the award would be placed before the House, because the award covers 70 pages, but what I do say is that the Tribunal has given its opinion in a concise form and it will be distributed just after the recess today.

8]. DEBENDRA NATH SEN: Another point of privilege. Will we be allowed to discuss whatever document will be circulated to us today and, if so, we want time for that.

Mr. SPEAKER: Let the document be circulated. After that is done you may say whatever you have got to say.

#### COVERNMENT BILL.

## The Calcutta Municipal Bill, 1951,

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I beg to move that the Calcutta Municipal Bill, 1951, as settled in the Assembly, be passed.

Shaikh MOHAMAD RAFIQUE: Sir, the second reading of the Calcutta Municipal Bill is over. I do not see the Government members jubilant as I have seen them on previous occasions. It appears to me, Sir, that they are also not very happy over this measure. I do not know why.

Sir, the passing of the First Calcutta Municipal Act took place during the year 1922-23. It was, Sir, in that year that the Non-co-operation Movement was in its full swing. We had left the colleges and everybody was anxious to take power from the Britishers both in municipal matters as well as in the administration of the country. It was, Sir, in that year that the grand old man of Bengal late Sir Surendra Nath Banerji thought that it was the best opportunity to get some powers from the Britishers in the administration of local self-government. It was at that time that this new Act-the Calcutta Municipal Act of 1923-was passed and more powers were provided to the rate-payers in the matter of municipal administration. At that time the municipalities in India enjoyed very few powers in local self-government and it was thought that under the Act of 1923 the Calcutta Corporation was a real self-government institution in which the interference of the Provincial Government was very little. From the year 1923 to the year 1947-all along except on two or three occasions we had the Mayor from the Congress Party. The Congress Party in the Corporation of Calcutta was always in a majority and they used to select their Mayor and also their members to the different committees which used to carry on the administration of Calcutta Corporation. Sir, this enactment of the Calcutta Corporation in 1923, if I may be permitted to say so, materially helped the freedom movement in India. It was the Calcutta Corporation which was the training ground of the national workers. It was the Calcutta Corporation which had provided the leaders who had fought for the freedom of the country and had it not been for the Calcutta Corporation, much of the work which was done for the freedom of the country from the province of Bengal would not have been done. So, to say that this Act of 1923 was not a useful measure would not be correct.

Sir, as I have said, from the year 1923 to the year 1947 we had the Mayors from the Congress Party. We had as Mayor late Mr. C. R. Das, Mr. J. M. Sen Gupta, Mr. Subhas Chandra Bose, Mr. B. C. Roy (for two years), Mr. Santosh Kumar Basu, Sir Hari Sankar Pal, Mr. Hem Chandra Naskar and Mr. P. N. Brahma. These Mayors had been from the Congress Party and except on three occasions, as I have said before, the administration of the Calcutta Corporation was run by the Congress Party throughout. About the year 1945 or 1946, the Government of the province of Bengal wanted the Corporation to carry out certain directives in respect of Health and in the matter of the appointment of its Engineer. I remember, a great row took place both inside the Corporation and throughout the city that the Government should not interfere with the administration of the Corporation of Calcutta. Sir, the Corporation of Calcutta had appointed Dr. B. N. De as its Chief Engineer and the Government of the province wanted that matter to be reconsidered as the Government of the province thought that that appointment was not desirable, but, the Councillors of Calcutta Corporation and the citizens thought that they should have full freedom in the matter of appointment of the employees of the Calcutta Corporation and no interference from the Government in matters municipal shall be tolerated. Dr. Roy and other leaders also were of the same opinion at that time and took interest in the controversy. Sir, I do not know what has happened since then that after we have gained independence, those very same leaders who were of the opinion that in municipal matters the Corporation should be left alone and the elected representatives of the people should have free hand in the administration of the Corporation should sing in a different tune. From the way this Bill has been piloted, I have the impression that the Government want that the Corporation should become a department of the State of West Bengal. They are afraid that if the Corporation of Calcutta is left alone and if the majority of the elected representatives of the city of Calcutta go against the Congress Party, perhaps the Congress Government will not be able to rule this Province. Sir, at one time it was said that the man who is the President of the Provincial Congress and who is the Mayor of the city of Calcutta and who is also the Chief Minister of the Province can only rule the Province of Bengal. It is absolutely necessary that they must have their triple Crown to carry on the administration of this Province. Quite possibly, Sir, the Ministry have thought that in order to carry on the administration of this city, it is absolutely necessary to have the Calcutta Corporation under their thumb, and quite possibly for that reason finding that they have no control over the choice of the electorate, they have thought fit to take over all the powers of key departments of Calcutta Corporation which were formerly delegated to the elected representatives of the people. Sir, it is really surprising that those very newspapers which used to headline against the Government of West Bengal for interference in municipal administration are silent today. I have seen leading newspapers clamouring and protesting against the action of the then Government of the Province when the Government wanted that question of appointment of the Chief Engineer of the Calcutta Corporation to be re-considered by the Calcutta Corporation. They are all silent today. Perhaps they feel that if they raise any protest, they would come under the Security Act. Sir, in 1948 the Corporation was superseded with the object of removing corruption, bribery and nepotism in the administration of the Calcutta Corporation. An Enquiry Committee was appointed. Lakhs and lakhs of rupees were spent on this Enquiry Committee which lasted two years. The report of that Enquiry Committee was published. But, Sir, we do not find any of the recommendations of the Enquiry Committee in any of the chapters or in any of the clauses of this new Bill. That money is practically wasted. If it was the intention of Government to have the

Corporation as a State Department, what was the necessity of spending the good money of the people of the Province? In this Bill wide power has been given to the Commissioner. I find, Sir, that though this Bill has been recast, practically all the old rules, all the old schedules have been retained. A Bill which is practically a revision of the Municipal Act of 1923 after 28 years should have been sent for public opinion. Not only it was not sent for public opinion, it was not even published in the Calcutta Gazette after the report of the Select Committee. Had it been published in the Calcutta Gazette, people could have got a chance of reading it and making their suggestions. Even that opportunity was denied to the citizens of Calcutta.

Sir, during the course of the second reading, the Government has advanced funny arguments. In the matter of developed and undeveloped wards the Chief Minister said that as the rent in undeveloped wards were low, so any classification of undeveloped and developed wards will not be necessary. Sir, I fail to understand the reason behind this argument. In an undeveloped ward though the rent or the price of the land may be low, the owner or the occupier of a premises pays the high taxes all the same, and if he pays the tax at the rate at which the owner or the occupier of a premises in a developed ward pays, why should he not be provided with full amenities in the matter of sanitation, health and water-supply? Government, Sir, have not thought fit to reply to this argument. In this Bill unnecessarily cost of constructions have been increased. A man who wants to construct a hut or a man who wants to construct a building, the employment of a licensed engineer is necessary. Whether the building costs less or it costs more, one has to spend money on the employment of a licensed building engineer, and then again you can only employ those whose names are in the list kept with the Chief Engineer. That is, Sir, an extra expenditure which a citizen who wants to construct a building will have to incur. The building rules, Sir, after 28 years have not undergone any change. The very same rules which existed in 1923 are retained with very slight modification. Had this Bill been circulated for eliciting public opinion, surely we could have got opinions of many of the qualified and experienced engineers who could have given us valuable advice. Even, Sir, in the matter of election and constituencies, numbers and names have been changed. Yesterday while speaking on Schedule V the Chief Minister said that they have based membership on an average number of 1,300 voters. If, Sir, one seat is allotted to 1,300 voters, may I ask him how many seats should be allotted to 5,300 voters? Unfortunately, we could not speak after the Chief Minister had replied, but I would draw his attention to these constituencies Nos. 40, 41 and 23. The total number of voters in these three constituencies is 5,300, and if on an average 1,300 voters are entitled to have one seat, how many seats should go to 5,300 voters? In the past ward No. 8 which comprise the above three wards had four seats. We had expected, Sir, that as no measures for augmenting the income of the Corporation have been suggested in the Municipal Bill. to meet the present-day expenditure the Government would come forward and make a declaration in this House that they are prepared to concede a certain percentage of amusement tax and betting tax and motor car tax to the Corporation. Formerly, the Corporation used to have the entire proceeds of the taxes from motor cars which was later on taken over by the Government, and since then the Corporation has been clamouring to have these taxes allotted to it. Sir, the Chief Minister has not thought it fit to make any such declaration that in future the Corporation of Calcutta should have some percentage of motor car tax and a certain percentage of amusement tax. The income of the Corporation will not be sufficient to carry on the obligations of the Corporation, because the Corporation

expenses have gone up. It is very difficult to carry on the administration with the income which it shall have in the near future even. The new Bill provides for ways and means by which corruption will increase. You cannot make a man happy with a monthly pay of Rs. 50. Even a labourer nowadays gets much more than Rs. 50 per month and if an employee of the Corporation works on a grade of Rs. 50-150 surely you cannot expect that he will carry on without going in for extra income by other means. So corruption will remain in the Corporation as at present. In the present Bill heavy penalties have been provided for infringement. This will also open other avenues for corruption. I feel, therefore, that this measure will not be welcomed by the citizens of Calcutta. The next election will show whether the citizens of Calcutta like this introduction of the Calcutta Municipal Bill by the present Congress Government. The vote of the people for or against the Congress Party will show whether they support this enactment of the present Government. It will be for the future historians to tell us how far this Government of ours have given us freedom in the matter of municipal administration. We have lost all the powers that we had in municipal matters. Though we cursed the English people, we find they had given us greater measure of freedom in municipal matter than our present Government.

SJ. BIMAL COMAR CHOSE: Sir, I wish I could, echoing the sentiments of the out-going Governor, congratulate the Chief Minister on his achievement in piloting this Bill. I am sorry to say that I cannot honestly do that. The discussion on this Bill in this House must have made it evident to you that there has been a fundamental difference in the approach of the Chief Minister and the members on this side of the House to this problem of improving the administration of the Calcutta Corporation. That difference was evident in practically all the proposals that the Government have brought forward in this House, whether they were important or unimportant measures. The Chief Minister has told us that he does not believe, for example, that adult franchise is any panacea. He has told us that he does not believe that investing the Corporation with self-governing powers will be any panacea either. What then will be the panacea? It appears to lie in transferring all authority from the Corporation to the Government and, as the previous speaker has said, in making the Corporation a department of the Government which the Chief Minister has done in this Bill. But will this cure the ills from which the Corporation had been suffering? What has been our experience in the sphere of the administration of the Government itself that we should feel encouraged to transfer more powers to the Government so that another self-governing institution like the Corporation may be better administered? I ask you, Sir, have the people of this province been satisfied with the administration over the last 31 years of this Government. Have not there been favouritism, corruption and a gradual deterioration in administrative standards in this state which have brought immense miseries to the people of the State? What hope is there then that merely if we transfer powers from the Corporation Councillors to the Government or to the members of this Assembly that things will automatically improve? I do not see, Sir, why having had our experience over the last 3½ years of the baneful effects of Government administration in the State, we should be so anxious to extend those effects to another selfgoverning institution. Sir, having been the participant in this House to the discussion clause by clause of this Bill, I have failed to appreciate as to why the Government brought forward this measure. Was it for the purpose of improving the administration of the Corporation in which admittedly there were serious instances of maladministration, corruption, nepotism, etc.? If that were the Government's intention then why is it, as my friend Mr. Md. Rafique had said, that the Corporation Investigation

Commission's Report was shown such scant respect? The Commission had renommended certain measures which they considered were essential for improving the administration of the Corporation. The Commission had recommended adult franchise. The Government have not thought it fit to accept that recommendation. The Commission recommended that an independent body—an Election Commission—should be set up to conduct election in the Corporation so that there might not be any such monoeuvrings as would return undesirable Councillors to the Corporation or at least as would try to check this practice to as much extent as possible. But even that Government did not accept. Then the Investigation Commission did not recommend that the Commissioner should be appointed by the Government: the Investigation Commission did not recommend that powers should be transferred to a larger extent from the Corporation to the Government. Yet the Government have done just the contrary, and they have travelled all over India and the world to find precedents to justify their unprogressive proposals. Sir, I wonder why the Government had at all set up an Investigation Commission and spent money on that, because the Government and the Chief Minister should have known that whatever may be the subject in question there can be no better expert than Dr. Roy himself. Then why was there an Investigation Commission because Dr. Roy knew everything and he could have done everything that the Investigation Commission was desired to do? And if at all the Investigation Commission was set up, their recommendations certainly should have been given due consideration and accepted as far as possible. But as my friend, Shaikh Mohamad Rafique, has said. no proposal whatsoever appears to have been accepted by the Government from the recommendations made by the Corporation Investigation Commission.

Sir, the whole purpose of this Bill appears to be, as we have said repeatedly in this House, that the Corporation should be divested of the powers that it had enjoyed and that those powers should be acquired by the Government and the only object which, I feel, the Government might have in view in bringing this Bill is this that this Bill gives them the authority, not directly but indirectly, to acquire that control. If the Government had made the Corporation merely a department of the Government, then there would have been great indignation among the public but now we shall have a Corporation but indirectly all the powers will have been acquired by the Government so that instead of having to face the indignation and criticism of the public Government will through this Bill control the Corporation as if it were a department of the Government.

Sir, it is no good entering into any details of the Bill at this stage. The Bill, as we all know, will soon be passed into an Act, but I cannot help feeling that today is a sad day because today we are passing a retrograde measure. It is sad and unhappy that we are the participants, even though unwilling and even though we have opposed this measure to the best of our ability, in passing this unprogressive piece of legislation. The only comfort that we members on this side of the House may derive is that even when the general election is imminent and all members are anxious to get back to their constituencies, we have tried faithfully to do our duty and opposed this measure to the best of our ability. But I realise that probably we should not unduly despair or be disheartened; for, as in other spheres, there is an ebb and flow in human activities, aspirations and achievements. As you know, Sir, Sir Surendranath, as I stated on a previous occasion, put the hands of the clock forward. Today Dr. Roy is putting them backward. But I have an abiding faith that progressive forces in spite of temporary setbacks march forward and onward. It is sad to reflect that Dr. Roy should have been the instrument for initiating a reactionary piece

of legislation. But history, Sir, is fortunately no respecter of persons however great, and will in the long run bring to fraition the progressive urges which are imbedded in the human soul.

Sj. HEMANIA KUMAR BASU: মাননীর শীকার বহাদর, আজ Corporation আইনের বে বিলটা আরানের সাবনে third reading আনা হরেছে, এই বিলটার ব্যাপারে আরার ১৯২৮ সালের Mackenzi Actur করা মনে হচেছ। আপনারী আনেন যে Mackenzi Actur স্বর কলিকাডার বে সমন্ত বিশিষ্ট নাগরিক কলিকাডা কর্পোরেশনের সদস্য ছিলেন, ওাঁরা এর প্রভিবাদে পদত্যাপ করেছিলেন। কলিকাডা কর্পোরেশনের পিছনে একটা ইতিহাস মরেছে; সেই ইতিহাস হচেছ অগ্রুগতির ইতিহাস, আবীনতার ইতিহাস। কলিকাডার অনসাধারণ কোন দিনই এবন কোন আইনকে বেনে নেদনি, বাতে তালের আধীনতা ও অপুগতিকে কুনু করেছে। শীকার বহোদয়, আপনি আনেন যে ১৯৪২-৪৩ সালে যথন লীগ পত্র্পারনেটের হাতে করতা বার, তাঁরা তথন বুতন আইন বিধিবছ করে এই কলিকাতার অনসাধারণের নাগরিক অবিকার জুনু করবার চেটা করেছিলেন, এবং Mackenzi Actur সমর বেতাবে এর বিরুদ্ধে পুতিবাদ হরেছিল, তবনও কলিকাডার অনসাধারণ ঠিক এইভাবে পুতিবাদ করেছিল।

খৰই শৃংখের কথা বে কংগ্রেণী গলের ল্যার ভ্রম্পেলাথ বন্দ্যোপাধ্যার কৰিকাতা কর্পোরেশনকৈ কান আইনের বার। নুতনভাবে সংগঠন করেন, তখন কলিকাতার জনসাধারণ, তাদের যে সমন্ত প্রতিনিধি পাঠিরেছিলেন, তখন কংগ্রেস ভারতের ঘরীনভাসংগ্রাবে আগুরান, এবং এই কংগ্রেসের প্রতিনিধিরা কর্পোরেশনে নির্বাচিত হরেছিলেন। प्रमुक्त क्रियम्बन मान क्लिकाला कर्प्लाह्मनत्त्र वर्षन शुध्व प्रमुख हम, खर्बन लिम बर्लाक्ट्रियम व "वह Corporation এতদিন বালি vosted interest এবং বভ বভ ৰাজকৰ্মচারী ও ধনীদের স্বার্থ রক্ষা করাই এর প্রধান কাজ ছিল। কিছ এখন "। এই ভাবেই Corporationএর প্রগতির ইতিহাস, উনুতির ইতিহাস ও স্বাধীনভার ইতিহাস । এই चाहेन वथन जाना स्टब्रिंग छात्र शूटर्य Investigation Commission वथन निवृक्त स्टब्रिंग তখন মনে হয়েছিল এই Corporationএ কলিকাতার জনসাধারণের নাগরিক অধিকার যাতে আরো বৃদ্ধি পায় তাদের অধিকার সরছে বাতে তার। আরো সচেতন হর এবং তার। বাতে আরো অধিকার পার সেই দিকে 📲 রেখে অগ্রগতির দিকে দট্ট রেখেই এটা বিধিবদ্ধ হবে ; কিন্তু তা হয় নাই। এই আইনের প্রত্যেকটি ধারা কলকাতার . জনসাৰারণের অধিকার ক্নু করবার জন্যই পুস্তুত হয়েছে। এতে এমন একটা বারা নাই যাতে নাকি কলিকাতার জ্বনশাৰ্ষ্যপের নাগরিক অধিকার বাড়িরে দেয়া হয়েছে। এবানে আমরা যারা বিরোধী দলভুক্ত আছি, এখানে আমন। সংখ্যালপ ৰটে, কিন্তু একথা আমনত্ৰা গৰ্মেইর সহিত বলতে পারি কলকাতার জনসাধারণের যা নাকি বনের কথা সেটা আনরাই এখানে বলছি, এবং তাদের যা নাকি দাবী সেটাও আনরাই রক্ষা করতে চেষ্টা করছি। অন্যান্য যাঁৱা নাকি ওদিকে (pointing to the Government benches) রয়েছেন তাঁরা নাকি যাদের প্রতিনিধি হয়ে এখানে এসেছেন, তাঁদের ঠিক্ষত প্রতিনিধিত্ব করছেন না। বরং তারা তার বিপরীত করছেন। যদি তীরা এই আইনের খসতা নিবে তালের constituencyতে জনসভের জন্য যান তাহলে দেখবেন আমর। যেভাবে এই আইনটা করতে বলছি, তারাও সেইভাবেই করতে বলবে। এবং পশ্চিমবঙ্গের বিভিন্ন জ্বলা থেকে জন্যান্য বেসৰ প্রতিনিধি এখানে আছেন তাঁরাও এইভাবে কলিকাতার নাগরিকদের জধিকার ক্রু করবার ব্যাপারে বে সাহায্য করছেন দেজন্য নিশ্নীয় হবেন। কলকাতার অধিবাসীরা তাঁদের ভুলবে না। আর যদি তারা মনে করে থাকেন যে তারা ঠিক কাজই করছেন তাহলে তাদের উচিত হবে কলকাতাবাদীদের একটা সভা তেকে এই আইনটাকে স্বৰ্থন করিছে নেৱা। বৰ্জনান বুগে বে কোন ৱাইই হোক না কেন, তার পিছনে যদি জন্মত না ে. বাকে তবে খানি ভোটের কোন একটা আইন সে পাশ করলেই সেই আইন ঠিকমত চলতে পারে না।

এখানে আবার Tramway Companyর সলে ২০ বছরের জন্য একটা চুক্তি হয়েছে। কলকাতা কর্পোরেশন ১৯৪৪ সালে এই ট্রাম্ব কোশানিটাকে ৪ কোটি টাকার কেনবার জন্য একটা ব্যবস্থা করেছিলেন। এবং তারা নেই টাকাটা তদানীরন গভর্পবেন্টের কাছে গ্রণ চেয়েছিলেন। কিছু গভর্পবেন্ট সেই গ্রণটা না দেওয়ার জন্য তাঁরা তথন এই Tramway Companyটাকে কিন্তে পারেন নি।

তারপরে assessment সহতে সরকার বে নীডিডে আইন পুপরন করেছেন, সে নীডি আরর। স্বর্ধন করেছি, বিশ্ব আরাদের বিরোধী পক্ষ থেকে আরর। এই বিষরে বে সংশোধনী প্রভাবগুলি উপস্থিত করেছিলান বদি সেই পুজাবগুলি সম্বন্ধার কর্ত্বক সুষীত হ'ও ভাহলে নিশ্চরই কলকাভার জনসাধারণ ভার হার। উপস্থৃত হত। আর এর বিভাব একটা পুধান ক্লাট স্বরে পেছে এই বে কবিশ্নারকে assessment বাড়াবার ক্লাভা দেওবা হরেছে, কিছ

কৰাবার ক্ষমতা পেওরা হর নাই। তালো তালো কারণার বড় বড় বাড়ীর ক্ষন্য বে rate করা হরেছে প্রেম্পান্তে প্রমীব লোকদের পুতি অবিচার করা হরেছে। কাল আবরা signboard সবছে বে পুতাব দিরেছিলার অবণ্য দেটা ঠিকবত ছিল না বলে ruled out হরে বার। তবে এটার সবছে কাল পুথান বরী কিছু আপুাস দিরেছেন, এবং বহুবর জে, নি, গুপ্ত বহাপর বলেছেন বারা নথাবিত লোক, বারা নাকি সাবান্য ব্যবসা বাণিত্য করে সাবারপ signboard সাহারে, তারা এই আইনের আওতার পড়ে না। কিছ বেতাবে এই আইনেটা বিধিবছ হরেছে তাতে আবার নিজের বনে এবং আরো অনেকের বনে এই সন্দেহ জেগেছে বে তারা কোন রক্ষ exemptionএর মধ্যে পড়ে না। যদি exempt করা হর তবে বহু লোক তার বব্যে পড়ে। অন্ততঃ আইনটা বে পরিকার নর সে বিষরে কোন সন্দেহ নাই। বুধা বারীবহাপর বলেছেন আপনারা তাল করে আইনটা পড়ে দেখুন; কিছ আবরা যতথানি দেখার দেখেছি, এবং অন্য যাদের সঙ্গে পরাবর্শ করেছি তাদের সকলেরই বনে সন্দেহ জেগেছে এই আইনটা সম্বরে। বাননীয় বুধা বারীবহাপর যদি দয়। করে তার পেন বন্ধুতার সবর বিষরটা পরিকার করে দেন তাহলে কলকাতার গরীব ব্যবসারীরা একট্ আপুন্ত হবে।

জল সরবরাহ সম্বন্ধে এই আইনটার ধারা যধন কাল আলোচিত হয় তথন আমাদের এ সম্বন্ধে যা বতাৰত তা বিশেষভাবে বলেছি। বাননীয় মুখ্য মন্ত্ৰীমহাণয় expertএর উল্লেখ করেছেন। কিছ expertলের স্বছে আমার বন্ধব্য এই যে নাইনে নেবার বেলারই শুধু দেখি যে তাঁরা expert, কিন্তু কান্দের বেলায় তালের অভিক্রতা किছুই मिर्च ना। এবং তার প্রবাণ যতগুলি, plan গভর্ণবেণ্ট করেছেন তাদের expertদের সাহায্যে তাতে नक লক্ষ টাকা ধরচ হরেছে, কিছ জনসাধারণ তার হারা কি উপকার পেয়েছে ? ঠিক তেন্ট্রি কর্পোরেশনের মধ্যে জনেক বড বড কৰ্মচারী ৰোটা নোটা নাইনে পান, কিন্ত কাজের বেলায় কিছুই করেন না। ঐ বড় কৰ্মচারীদের সম্বন্ধে কলকাতার নাগরিকদের জিল্পাসা করলে তারা এক বাক্যে বলবে দেখা করতে গেলে, কোন বিষয় জানতে গেলে ভারা তো কোন কথা বলেনই না, বরং যদি আবেদন নিবেদন করা হয় তাহলেও কোন প্রতিকার পাওয়া বার না। তারপর বর্ত্তরানে লক্ষ লক্ষ refugee আগার দরুণ কলকাতার জনসংখ্যা বেড়েছে, সেই সঙ্গে জলের সরবরাহ একট ৰাডিয়ে লোকের কটের লাঘৰ যাতে করা যায় সে সম্বন্ধে পর্যান্ত কোন plan নাই, অধ্য ৰড় বড় officer, Chief Engineer, Executive Engineerর। সৰ বলে আছেন, আর তাদের মাইনে বেডে চলেছে। বিশ্ব কাল কিছুই হচেছ না। লোকে বে ঠিকমত জলটুকু পাবে তার ব্যবস্থাটুকু পর্যান্ত হচেচ না। তাদের দিকে তাকালেই একটা জিনিম লক্ষ্য করা যায় যে কোন রক্ম social training বা সামাজিক শিক্ষা—কি গভর্পবেশ্ট officer कि Corporation officer কারোই নেই। অধচ তারা মাইনে পান পশ্চিমবঞ্জের অধিবাদীবের পদত্র রাজস্ম বা কলকাতার অধিবাসীদের দেয় ট্যান্ডের টাকা হতে। এদিকে কিন্তু পূৰান মন্ত্রী থেকে আরম্ভ করে বড বভ বভ কৰ্মচারী আছেন সকলেই বলে বেডান যে বর্তমান সরকার প্রভিষ্টিত হয়েছে এবং কারেব রয়েছে জনসাধারণের ক্ষমতার উপর ! কিন্তু সরকারের কোন বিভাগে কোন কাজ নিয়ে গেলে এত হয়য়াণি হতে হয় —অপমানের একশেম হতে হয় যে ভাষা জ্বনসাধারণ কিছতেই মনে করতে পারে না বে ভাষা master। ঠিক ইংরাজের আমনের মনোবৃদ্ধি —প্রত্যেক কর্মচারী মনে করেন বে মাইনেটা তাহার ত প্রাপ্য আছেই অতিরিক্ত কিছু না পেলে তারা কোন কাজই করতে চান না। প্রত্যেক public servant, জনসাধারণের সেবার জন্য-তাদের কাজের জন্য নাইনে পান-জাজও তারা একথা শিখন না-এই social training তাদের নেই। তাই এই আইন সম্পূৰ্ণভাবে প্ৰতিক্ৰিয়াশীল। সেইজন্য এই আইনকে আমি বিশেষভাবে বিৰোধিতা করছি।

ভারপর, adult franchise এর কথা বলছি। যদি adult franchise করা হয় ডাহ'লে vested interest, আর্থানেণুবী ব্যক্তিদের, স্থবোগ স্থবিধা করে বাবে। এই জন্য আমি বনে করি Investigating Commission বে recommendation করেছিলেন ভা জন্তঃ প্রছণ করা উচিত। Investigating Commissionএ একটা জিনিম আছে—বে সমন্ত কর্মচারী কলকাতা কর্পোরেশনের টাকা নই করেছে তাপের বিক্লমে গান্তি প্রহণের বে স্থানিশ করা হরেছিল তা কিছুই হয়নি, বরং তাদের উন্ত পদে বসিরে দেওয়া হরেছে। তারা বরক সরকারের বিশেষ আলা পেরেছে। Corporation ঝেকে বদি বাছবিকই দুনীতি ও জনাচার কুর করতে হয় ভাহলে Investigating Commissionএর স্থানিশ জনুবারী কাল করতে হবে। এই ব'লে আনি এই আইনের বিরোধিতা করছি।

8j. SIBNATH BANERJEE: বাননীর ডেপুট শীকার বহোদর, আমি বর্থন বজুত। করতে উঠছিলার তথন করেকজন বন্ধু বল্লেন পুব তীব্র স্বালোচনা করা পরকার। কিছ সেটা বে একেবারে বৃধা

তাতি কোনই লাভ হবে না দেই কথা আমার বছুরা বুখতে পারছেন না। ভবে একথা সত্য যে আভকে वारता (मर्टात पाठाउ मुक्तिन ; यमन करे पांगरे, २७८न पांगरे, एठमनि पांपरकत और )ना November मिनहो ७ जावज्वर्ध प्रकुष्ठ: किष्टमिन मुक्तिन वरल यसन बायरव । किन्ह प्राप्तवा स्मानि वाःना स्मर्टन है जिहारम चर्नक settled fact unsettled इत्यद्ध। जामात्मत्र भूत्रा मधीनशाम्य सानु I. C. S.त्मत्र गःदश शत्रामनं করে ভোটের জোরে এটা পাশ করিয়ে নিচেছন। কিন্তু আমি বলতে পারি তিনি যাই মনে করে থাকন না रकन, प्यागामी निर्वाहरनत शरत यात्रा এই Housea प्यागरवन छात्रा এটা गःশোধন करत प्रनाकरश शाम क्बरवन--- 4ই जामात पह विशास । (Sj. Sushil Kumer Banerjer: छ। इ'ल ভावना कि १) ভাবনা নিশ্চয়ই আছে, এবং সেটা আপনাদের জনাই। Calcutta Corporationকে একটা Government departmenta পরিণত করার যে প্রচেটা চলুছে সে সংক্ষে আমার বন্ধরা বলেছেন, আমি আর বিশেষ किছ बनुएउ চাই ना ; তবে এটুকু बनव या, এই विराम जिल्हा जिल्हा या ममन्त्र progressive क्रिनिम इराज लाहे ममन्त्र किनिष विश्वान तथा यात्र ना । Socialisation ना इडेक, जन्माना बालाइत व्यमन tram, bus, electricity, housing, banking insurance প্রভৃতি তো municipalisation করতে পারতেন এবং উৎপাদনের সামগীও municipalisation কবতে পাবতেন। এই জিনিসটা করা যায় যদি জনগণের প্রতি ৰিশাস থাকে। তার পরিবর্ত্তে আমরা দেখ ছি stalky tea, real tea কি না তা নিয়ে এবা exteriment করছেন। আজকাল বাজারে সবই ভেজাল বাদ্যদ্রব্য বিক্রম হচেছ; সে সুহন্ধে এদেব মাপাব্যখা নাই : কিন্ত stalky tea নিয়ে নানারকম গুরুরপূর্ণ গবেষণা এখানে ভনলাম। পূর্বনুক থেকে লক্ষ লক্ষ বাস্তহাবা এখানে ঘর বাড়ীব অভাবে নিরাশয় ভাবে দিন্যাপন কবছে। সেদিকে এদেব কোন দটি নাই। Adult franchise ব্যবস্থা তাঁরা করতে পারতেন কিন্তু floating population ইত্যাদি নানারপ কথা ব'লে এবা টালবাহানা করছেন। তাঁরা জনসাধারণের উপর বিশাস রাখেন না তাঁদের বিশাস আছে ধনিক, বশিস, भैंकिপতित উপব, कात्रभ धाँता स्नात्मन छाँएमत अमस्य कराल धाएत गिम्हा राज्य राज्य । ভाराज्य स्वताना স্থানে adult franchise হয়ে গেল, কিন্তু যে Calcutta Corporationকে আমৰা Pride of Asia ৰলে মনে করি তাই ১০০ বছৰ পিছনে পড়ে রইল।

তাৰপৰ এই যে signboard নিয়ে এত আলোচনা হল এটা কাৰ মন্তিকপুসূত জানি না। Signboard তথু কলকাতায় নয়, পৃথিবীৰ সৰ্বত্ৰই signboard টাঙান হয়। কিন্তু signboardএৰ উপৰ না হ'য়ে যদি incomeএৰ উপৰ হ'ত তাহলে একটা অৰ্থ বোঝা যায়, কিন্তু signboardএৰ উপৰ এই ব্যবস্থাৰ অৰ্থ সাধাৰণ লোকে বুখতে পাৰে না। এইসৰ কৃষ্ণ ব্যাপাৰে তাঁবা অত্যন্ত বেশী আগ্ৰহ দেখাচেছন, কিন্তু ভিতৰেৰ শাস যেমনি আছে তেমনি বয়ে যাচেছ, সেদিকে তাঁদেৰ দৃষ্টি নাই। বড় বড় ব্যবসায়ীদেৰ উপৰ হাত দিতে গেলে বিপদ আছে। এখানে সে সম্বন্ধে অনেকে প্ৰতিবাদ কৰেছেন, কিন্তু তাঁবা এতে কৰ্ণপাত কৰেননি।

তারপর, Public Service Commissionএৰ কথা বলছি। যদি একটা system করা যায় তাহলে nepotism কমে যাবে। কিন্তু তাতে তাঁদের স্বার্থে আঘাত লাগে; মন্ত্রীদের আত্রীয়স্বজন ঢোকান কঠিন হবে। গৰনিক বিবেচনা ক'রে আবরা ব'লেছিলাম Municipal Service Commission কবার কোন দরকার নাই। কাজেই যে উদ্দেশ্য নিয়ে Service Commission করা, যে সেখানে উপযুক্ত লোকরা কাজ পাবে, সে উদ্দেশ্য নার্থ হয়ে যাবে। সেই জন্য আমি বলেছিলাম তাতে economy হবে না। Public Service Commission, after all, is an independent body. Duplication of workএর জন্য duplication of expenditure হবে, অর্থাৎ expenditure বেড়ে যাবে।

কাজেই personnel, employees কিছু বাড়িয়ে দিয়ে এইটা করুন, যাতে একটা standard জিনিঘ ছর। কিছু তাতে তাঁরা রাজী নন। কারণ এর ভিতর একটা গুটু উদ্দেশ্য রয়েছে। অবশ্য employeesদের সক্ষমে কিছু progressive কথা বলা হরেছে। আনার নতে কারও নাইনা দেড় হাজার টাকা হওয়া উচিত নয়। কারণ, বেখানে minimum নাইনা হচেছ ৬০ টাকা, সেখানে maximum ছ্লশত টাকা হতে পাবে। কিছু এখন জিনিঘপত্রের দান যে রক্মুভাবে বেড়েছে, তাতে কারও মাইনা একশত টাকার কম হওয়া উচিত নয় এবং সেখানে একহাজার টাকা maximum নাইনা হতে পারে। এবং আপনারা Commissioner বা I. C. S. বাকেই নিয়োগ করুন, তাঁকে আই maximum এক হাজার টাকা পর্যন্ত দিন। কিছু Dr. Roy

জ্ঞানংগিকভাবে বলেছেন ''বারে বা. তাহ'লে কর্পোরেশন চলবে कি করে । যদি বেশী মাইনা না কেওয়া। হয়, তাহলে ভাল ভাল লোক সেধান থেকে চলে যাবে। কিছ, আমি বলতে পারি, তার। বদি **আরুকে** একশো টাকা offer করে post advertise করেন তাহ'লে দেখতে পাবেন কত First Class Honours Graduate ও M. A. পাবেন। একশো টাকার মাইনাতে চাকরী advertise করকে অন্ততঃ श्रीकृतना application शादन । अकृतना होका minimum ६ शाकात होका maximum बाहेना हृद्द. এই standard यनि करत रमध्या यात्र, छाहरन जान लारकत अजाव हरत ना । कात्रन, तह trained लाक কলকাতাম বলে রবেছে । তবে যদি তারা মনে করেন যে 1. C. N. ছাড়া তাদের কাজ চলতে পারে না, আছলে মক্কিল। অন্য দেশে এই সমন্ত I.C.S. ছাডাও যথন কাজ বেশ ভারভাবেই চলছে, তখন এদেশে খেন চলৰে না । বটিশ শাসনের যে রাস্তা তা ভাল করে এই সমস্ত I.C.S.বা শিখে নিয়েছে; স্পত্রাং তাদের দারা আমাদের স্থাবিধার চেয়ে অস্থাবিধাই বেশী হচেছ। কারণ তাঁরা যে একটা standard বাস্তা ধরে চলেছেন তাতে ইংবাজদেব পক্ষে স্থাবিধা ছিল। তথনকাৰ নীতি ছিল যে, জনসাধাৰণ ও Ministryৰ সঙ্গে যেন কোৰ প্ৰাৰ যোগাযোগ না থাকে। এই attitude নিষ্টেই আজ তাবা এখানে কাজ করছেন। আজ যদি বটিশুরা এখানে থাকত তাহলে ঐ সমস্ত  $I.\,C.\,S.$  নিয়ে তাঁবা কাজ ফ্রতে পারতেন ৷ কিন্তু আজ দেশ স্থাধীন হয়েছে এবং মধ্য মন্ত্রীও পরিবর্ত্তন হয়ে গিয়েছেন। স্তুতরাং ইংরাজ যে উদ্দেশ্য নিয়ে এদেশ শাসন কবত, এখন দে উদ্দেশ্য নিয়ে আব দেশ শীসন কৰা চলতে পাৰে না। কিন্তু দঃখেব বিষয় এখনও কতকা। সেইভাৰেই চলেছে. বেশী, বেশী মাইনা দিয়ে বড় বড় অফিসাবদেব বাধা হয়েছে। এধানে কম মাইনেব, অর্ণাৎ ১০০ ोका (थरक राष्ट्रां तोका भारेरानेव लास्किन अलाव रहत ना अन् export लास्किन अलाव रहत ना । अवना যদি তাঁবা বিলাত থেকে লোক আনতে চান তাহলে হয়ত তাঁরা এত কম মাইনেতে পাবেন না এবং ভাতে অনেক বেশী টাকার দবকাব হবে। কিন্তু দেশে বহু expert লোক পাবেন এবং তাদেব যদি দরকার মনে করেন ভাহতে ভাদের বিদেশ থেকে trained করে আনতে পারেন। কারও মাইনে রাডাতে হলে proportionately সকলেৰ মাইনেই বাডাতে হবে। যদি কম মাইনে ১০০১ টাকা ও বেশী মাইনে হাজার টাকা,—এই নিয়ম করেন তাহলে ৩৭ Corporation এ নয়, Writers' Building চলবে এবং দিল্লীৰ ৰছ বছ দপুৰশানা বা Secretariatus চলবে। আজকে ধবরের কাগজে দেধলাম যে, চাচিল সাহের প্রধান মন্ত্রী হয়ে তাঁর নিজেব মাইনে দশ হাছাব পাউও থেকে দাত হাজাব পাউও কবেছেন। ওখানে যদি high standard থাকা সত্ত্বেও কম মাইনেতে চাচিল সাহেব ও ইডেন সাহেবেব মত লোক পাওয়া যায় তাহলে এদেশেতে কেন expert लाक कम मार्टेन्टल পाउन्ना गांद ना । এই দেশে এখন गांवा high pay পাৰে তাদের मार्टेन्हों। আরো বাড়াতে গেলে অন্যায় কবা হবে কাব্ৰ lower standard অনেক নীচে আছে। যদি lower standard ২০০ টাকা করেন তাহলে higher standard ২০০০ টাকা হতে পারে। কিন্তু lower standardকে না বাভিয়ে কেবলমাত্র higher standerকে বাভালে অন্যায় করা হবে। তা যদি করেন ज्ञाहरल है:वाक्रता त्याजार हालिखिहन त्यारे तक्ष्म जात्वर हनट शाकरत।

Dr. Roy অনেকবার বলেছেন, অবশ্য Assemblyতে বক্ততা দিয়ে নয়, তিনি বসে বসে remark করেছেন যে ভোট আমরা পাবে।। আমি জানি যে এই বিল পাস করনেও তাঁরা ভোট যে কত পাবেন তা দু'দিন পরেই দেখা যাবে। এই reactionary বিলের হাবা জনসাধানণকে শুখালাবদ্ধ করা হবে এবং ফল কি হবে তা পরে তাঁরা বুখতে পাববেন। কলিকাতা সহবে এই constituencyতে এই Municipal Bill একটা অভিশাপকপে থাকবে

কংগ্রেশ প্রাথীদের এখানে বক্তৃতা করে কৈঞিয়াত দিতে হবে যে তাঁবা এই বিল কেন পাস করেছেন। অবশা ভাদের ভোট পাওয়াব নানা উপায় আছে যেমন zeep আছে এবং সমন্ত clubæ help করে পেতে পারে । কিছ ভারা জনসাধারণের সমর্থন কত পাবেন তা দেখতেই পাচিছ। Sj. J. C. Gupta মহাশ্য বলেছেন যে নোকে এটা চায়; তা যদি হয় তাহলে এটা test করুন। প্রতি wardএ একটা করে meeting করে আপনার প্রভাষটা রাখুন যে Municipal Billটা গ্রহণ করা হক্; বক্তৃতাব পরকার নাই, ভোট নেওয়া হক্ by ballot কিছ ভাতে তারা রাজী নয়। এখানে এই Housea এটা পাস করে নিতে পারেন এবং তাই করবেন। Mr. Deputy Speaker, Sir, আমি গোড়া থেকেই বলে আসছি বে আজকে বাংলা দেশে একটা black letter day, এখানে খাদ্য নাই, লোকে না থেবে শুকিয়ে বরে যাতেছ অখচ সরকার নির্দ্ধকভাবে, যেমন ইংরাজরা বনতেন লোক মরছে heart বিয়া করে, আমাশার ভগে, ঠিক এরাও আজ বনছে বে দেশে করিও অনাহারে মতা হয় নি। আজ দেশে খাদ্যের এছ

জড়াব বে, বহু লোককে ৪৬, টাকা ৮০,টাকা ববে চাল কিনে বৈতে হচেছ, এবং বহু লোক না বৈতে পেৱে জনাহারে দিনবাপন করছে, তথাপি সরকার দেশে দুভিক হরেছে বলে খীকার করবেন না । Government employeesদের কিছু কিছু dearness allowance বাড়ান হরেছে বটে, কিছ jute mills, Corporation বা জন্যান্য জারগার বারা কাজ করে, তাদের dearness allowance বাড়ান হরনি । এই সবছ লোক না বেরে জাবনরা অবহার দিন কাটাচেছ, কিছে তা জাপনারা খীকার করবেন না । আছু দেশে কাপড় নাই, এবং বা পাওরা বাচেছ তার দার এত বেশী বে লোকের পকে তা কেনা সম্ভব নর । আই সরীবহাশরের পরাক্ দিচেছন বে "আপনারা half-pant পরুন" । এই সবছ স্বস্যার স্বাধান তাঁরা করতে পারেন না এটা গোদের উপর বিঘকোঁড়ার বত ।

তীরা এই বে Municipal Bill আইনে পরিণত করছেন, তা কথনও কলিকাতার জনসাধারণ বীকার করবে না। তারা এর বিরুদ্ধে প্রতিবাদ করছে এবং agitation আরও চলতে থাকবে, বতদিন না Dr. Royএর এই settled fact unsettled হয়।

Si. KANAI LAL DE: সভাপাল মহাশয়, আব্দ এই পরিষদ কল্কে বে কুর্যাত বিলটা আইনে পরিণত হচেছ, আনরা জানি, এই সরকারের বহু কুকীন্তির মধ্যে এটা জন্যতম ও সর্বপুধান বলা বেতে পারে। বহুকাল পূর্বে ইংরাজ শাসনের সময়, কলিকাতার নাগরিকদের ক্ষমতা ধর্ব করার জন্য, এই কলিকাতা কর্পোরেশনের ২৮ জন Councillor এর প্রতিবাদ জানিরে পদত্যাগ করেছিলেন। জানার বভদর সর্বধ হয়. স্যার স্থারক্রনাথ বলোপাধ্যায় মহাশরও তাদের মধ্যে একজন ছিলেন। এই স্থারক্রনাথ বল্যোপাধ্যার ষহালয় যখন স্কুযোগ পেলেন, তখন তিনি ক্লিকাত্যবাসীর সম্পূর্ণ ক্ষমতা আইন করে তাঁদের হাতে নিয়েছিলেন। তথন, আমাদের যিনি প্রধান মন্ত্রী তিনি দেশবদ্ধু চিত্তরঞ্জন দাশ মহাশবের পক্ষ অবলগুন করে এই স্থ্রেক্তনাধকে পরাজিত করেছিলেন। সেধানেই স্থারেজ নাধের রাজনৈতিক জীবন শেষ হয়ে গিয়েছিল এবং জাষাদের প্রান মন্ত্রীর রাজনৈতিক জীবন আরত্ত হমেছিল। আমরা এখন দেবতে পাচিছ যে আমাদের প্রধান মন্ত্রীমহাশুরও দেই রক্ষ প্রতিক্রিয়াশীলভাবে শাসন করছেন তাতে হয়ত তাঁরও রাজনৈতিক জীবন সম্ভবত: শেষ হয়ে জাসছে। তাঁর রাজনৈতিক জীবনের প্রারম্ভে প্রগতিবাদী হয়ে যে সমন্ত ভাল কাজ করেছিলেন কিছু আজ প্রতিক্রিরাশীলভাবে দেশবাসীর বিরুদ্ধে যে সমন্ত কাল করছেন তাতে ভয় হয় বে তাঁরও রালনৈতিক জীবন বোধ হয় শেষ হয়ে এসেছে। আজ কলিকাতা সহরের প্রায় ৫০ লক্ষ লোকের অধিকারকে কিরকমভাবে কুণু করা হচেছ, তার প্রাণ আমর। পেরেছি গত করেক সপ্তাহ ধরে এ বিলের আলোচনার মধ্যে দিয়ে। এই এত বড় সহরে বেখানে ৭৫ জন Councillor নির্বাচিত হবেন এই কনিকাতার অধিবাসীদের হারা, সেধানে তাদের অধিকারকে অভ্যন্ত कन कत्रा श्रदारक । এটা निर्वािष्ठ Councillor एन अपाक अथानकत । आहे । अने Councillor পৰ্বে বেমন পদত্যাগ করেছিল তেমনি আজকে তাদের এবং কনিকাতাবাসীর কর্তব্য হবে যে এই বিলু যাতে কার্য্য-করী না হতে পারে। আজ গণতাহিক ভিত্তির উপর ভোট সর্বত্ত দেশে অনুষ্ঠিত হচেছ কিছ কলিকাতা সহরে প্ৰাপ্তৰয়ক লোকদের সেই ভোটাধিকার দেওরা হ'ল না। এখানে franchise কম করা হল, এতে কলিকাতা Corporationএর পক্ষে অত্যন্ত অন্যায় করা হয়েছে। যারা দেশের রাজনৈতিক প্রোভাগে আছেন তাদের ভোটাধিকার হয়ে গেল কিন্ত কলিকাতার সাধারণ লোক যার। দিনের পর দিন সভা স্বিতি করতে, তার। বিখান নর বটে ক্লিন্ত তাদের সাধারণ রাজনৈতিক জ্ঞান রয়েছে, এদের ভোটাধিকার দেওয়। হল না, এটা শত্যন্ত অন্যায় এবং এটা প্রতিক্রিয়াশীলের চরন নিদর্শন। তারপর এই আইনের হারা একজন বড় কর্মচারীকে Corporation এর পর্বময় কর্তা করছেন। মহিসভা মনে করছেন যে ভোটের ছারা স্ব কিছই করবেন কিছ তাদের এই ধারণাটা সম্পূর্ণ ভুল। তাঁরা প্রতিক্রিয়াশীলভাবে জনসাধারণের ক্ষরতা ধর্ব করতে চান, এবং ভোটের ম্বোরে সমস্ত ক্ষমতা হস্তগত করতে চান সেটা ভাবা বাতুনতা বাত্র । এই ক্লিকাতা Corporation সম্পূৰ্ণ করারত্ত করে রাখবো এটা তাদের পক্ষে ভাবা বাতুলতা বাত্র । অবচ নির্বাচিত প্রতিনিধিদের ভারা কোন कांगकराज त्यवाद ना । गतकात कर्त्भारतम्य कांक कर्यकातीस्य दावारे कांगादन, की Councillorस्य প্রতি একটা চরম অবমাননার দুটাত। তারপরে কনকাতা কর্পোরেশন এবন বে অবস্থার ররেছে, বদিও এটা হচেছ এশিবাৰ ৰংখ্য সৰু চেৰে বড় বিউনিসিপালিটি, ভাৰ economic conditionএর উনুতি করার জন্য এ পর্ব্যন্ত কোন কার্য্যকরী ব্যবহা পুবর্ত্তনের চেটা হর নাই। কেবন, কি করে কডগুলি লোককে হাডেরেকে কর্পোরেশনের উপর কর্ম্ব ছটা নিজেদের হাতে রাখা বার সেই দিকেই ভবু ওঁরা দৃষ্ট দিচেছন ৷ কর্পোরেশনে উন্তি संबंधित समा समानी (कवा बारबाइ ता मत्वत नित्क अत्मत नृष्टि नाहै।

ভারপর এই কলকাতা সহবে বডটা তেজাল জিনিছ বাদ্যের ও জন্যান্য ক্রবের সন্দে বিক্রম হর এই হাংলাদেশের বা ভারতবর্ধের জন্য কোষাও ওত হর না। এই সব বছ করবার জন্য বে জাইন করা উচিত ছিল এ
কিনে তা কিছু করা হর নাই। আর এ সরকারের পক্ষে তা করা সম্ভবই বা হবে কি করে? কারণ সরকার
কিজেই বে একটা dairy করেছেন ভাতে তাঁরা skimmed milk বিক্রম করেন। তাঁরা জল
বিশিবে পুন বিক্রম করছেন আর প্রকাশ করছেন কনকাতাবাদীদের আবরা পুন দিচিছ। দেশের সরকার
হচেছ্ন দেশের প্রকৃত বানিক, এবং দেশের বব্যে দৃষ্টাত ছাপন করাই হচেছ্ সরকারের কর্ত্বন্য, সেই সরকার নিজেই
বিদি দেশের বব্যে ভেজাল জিনিছ চালান ভাহলে বারা নাকি ব্যবসায়ী প্রসা রোজগারের জন্য এসেছে ভারা সংকাজ
করবে এটা কি করে আশা করা বায়।

আৰি আৰু বেশী কিছু বলব না, আমার পূর্ববর্তী বস্তাই অনেক কিছু বলেছেন, আমি শুধু এই কথা বলে শেষ করছি বে এই বিলটা যা আজ আমাদের সরকার এখানে পাশ করাচেছন, এটা আইনে পরিণত হবার পর পুনরার বে Assemblyর নির্বাচন আসছে তাতে সেই সব পুতিনিধি যার। নাকি সরকারের পক্ষে গিরে এই বিলটা সর্বর্থন করছেন এবং জনসাধারণের স্বার্থ নিয়ে ছিনিমিনি খেলছেন, তাদের মধ্যে যার। নাকি কলিকাতা-বাসীদের প্রতিনিধি তাঁদের যেন কলিকাতাবাসীয়া আগামী নির্বাচনে তাদের এই—

- **8j. RAJAN! KANTA PRAMANIK:** Sir, এই বক্তা বা বলছেন কলকাতাবাদীদের কাছে নিবেদন করে নেটা এখানে না বলে বাইরে গিরে বলুেই ভাল হর।
- 8j. KANAI LAL DE: আবি Deputy Speaker মহাপ্ৰের কাছে বলছি। পার্গা-বেণ্টারী সেকেটারী বহাপরের জ্ঞান থাকা উচিত বে আবি যাননীয় সহ-সভাপালের through দিয়ে দেশবার্গীর কাছে নিবেদন জানাতে পারি, আবি যাদের পুতিনিধি সেই দেশবার্গীকে আযার সব কথা বলার অধিকার মরেছে, এতে ওঁর আপত্তির কি কারণ থাকতে পারে।

আমরা বুঝতে পারছিনা এই বিলটা এরক্ষভাবে এখনই পাশ করা হচেছ কেন ? বিশেষতঃ আগামী নির্বাচনের পূর্বে বা পরে বে অবস্থা হবে তাতে এই বিল পাশ হলেও কলকাতার মধ্যে হঠাও কোন পরিবর্জন আনতে পারবে না। আমার দৃচ বিশাস, আগামী নির্বাচনের পর যে সমস্ত শুতিনিধি নির্বাচিত হয়ে এখানে আসবেন তাঁরা এই শুতিক্রেরাশীল আইনটাকে নিশ্চরই দূরে কেলে দেবেন। বর্ত্তমান "Assembly ব আয়ু শেষ হয়ে এসেছে মখন, তখন এইরূপ শুতিক্রিরাশীল বিলটা আনার কি পুরোজন ছিল ? ৪া৫ মাস পরেই যখন নৃতন Assembly হবে তখন এটা আনলে কি কতি ছিল ? দীর্ঘদিন অপেক্ষা করার পর হঠাও অসম্ভব তাড়াতাড়ি করে যেনন Tramway Billটা পাশ করিষে নিলেন, ঠিক তেমনি তাড়াতাড়ি করে এই কলকাতা Municipal Billটাও পাশ করিষে নিচেছন। হরত ওঁরা মনে তেবেছেন কোন রক্ষমে যদি আমরা এসে আবার ক্ষমতা লাভ করতে পারি, তাহলে এই আইনের বলে যে সমস্ভ ক্ষমতা ও স্থ্যোগ করে রাখা গেল কলকাতা কর্পোরেশনের তিতরে, শেগুলির সম্বাহার পূর্ণমাত্রার করা চলিবে। আজ ওঁরা এখানে সংখ্যাগরিষ্ঠ বটে, কিন্তু বাইরে এই বিলের বিরোধী অসংখ্য লোক ব্যরহেছ, এই কূখ্যাত বিলটী যখন আইনে পরিণত হবে——

- Mr. DEPUTY SPEAKER: Disrespect or abusive mention of a statute which seems to be apparently open to the same objection as improper language এই কারণে আপনি বিনটাকে "কুবাড়" বিন বনতে পারেন না।
- SJ. SIBNATH BANERJEE: তেপুটা শীকার বহাপর, আপনি কি বলছেল আবি ভনতে পালিছ না।
- Mr. DEPUTY SPEAKER: আনি বলছি বে এই House বে বিলটা পাপ করছেন সেটাকে কান সদস্য কুখ্যাত বলতে পারেন না।
  - SJ. DEBENDRA NATH SEN: क्य. Sir. बहा बन्दना शांत हतन ।
  - Mr. DEPUTY SPEAKER: शान ना शान, किंद शान शरफ करनरह ।
- SJ. DEBENDRA NATH SEN: Sir, এটাকে ফুব্যাত নাই বা ক্লাব, কিছ black Biller বাংলা কি হবে !

- Mr. DEPUTY SPEAKER: বিলটা প্রতিক্রিয়াশীল বলতে পারেল বা ঐ ধরণের আর কিছু বলতে পারেল।
- Sj. KANAI LAL DE: জনসাধারণের পুতি বিশাস্থাতক এই বিল (The Hon'ble Bhupati Majumdar: যত বিশেষণ জানা আছে লাগিয়ে দিন)। আপনাদের ত অনেক কিছুই জানা আছে এবং বলেনও কিছু কম নয়। আমি সর্জীকার পক্ষকে সর্বশেষে বলতে চাই এখনো সময় আছে, এখনো তাঁরা এই বিলটাকে প্রত্যাহার করে নিতে পারেন, তাঁদের সদ্বৃদ্ধির উদয় হোক, তাঁরা এটাকে প্রত্যাহার করে নিন। ভবিষ্যতে যারা এখানে প্রতিনিধি আসবেন তাঁরা গণতন্ত্রসন্মত নূতন ধরণের একটা বিল এখানে আনবেন। আমি এই বিলের সম্পূর্ণ বিরোধিতা করছি।
- 8j. J. C. CUPTA: Mr. Deputy Speaker, Sir, Mr. Rafique and also other speakers said: "They don't seem to be happy" and Mr. Bimal Ghose said: "It is a sad Bill for us". I agree, because we have got to perform the unenviable task and responsibility of remedying certain defects which the abuse of powers and responsibilities given by Sir Surendranath's Act has necessitated. Sir, we are painfully conscious that it is not the Hon'ble Dr. Bidhan Chandra Roy who is undoing the Act of Sir Surendranath, but it is the Corporation Councillors who enjoyed wide powers and privileges who have destroyed Surendranath's Act. (Cries of "hear, hear" from Congress benches.) The public wholly supported the supersession of the Corporation, and why? Not because they wanted that Sir Surendranath's Act should be scrapped but they were aware that in the administration of the Act in the executive sphere things were done which not only did not redound to the credit of the Corporation but in many respects injured the interest of the rate-payers. Sir, an Investigation Commission was appointed. They pointed out amongst others the unfortunate position of the Chief Executive Officer-the subserviency to which he was put. They pointed out how in assessment there were so much undersirable acts; they pointed out that there has been wastage of the Corporation funds, and as a result of that when democracy is abused the result is autocracy as a necessary consequence, and we find a Bill was provided in order to set right the defects and mistakes pointed out by the Investigation Commission which sought to divide the powers between the Corporation, the Standing Committees and the Commissioner and which tried to make the Commissioner almost independent of the Corporation. But I have noticed that the Select Committee did try to modify the position that was taken up in the original Bill. They provided that the Corporation should be supreme and there should not be three distinctive authorities, but the Standing Committees and the Commissioner should be made subservient-I should not have used the word "subservient" -- should be made subordinate to the Corporation, and they should follow the rules and regulations made by the Corporation. Sir, you are aware that the Investigation Commission reported the position of the Chief Executive Officer, the situation in which he was rather subcorvient than independent. The Calcutta public knew very well that the Chief Executive Officer was not functioning in the way the rate-payers desired. Therefore, the original Bill proposed that the Commissioner should be independent, but as you have noticed the Select Committee said "no". Ordinarily, the Commissioner will not have to go to the Corporation Councillors in order to ensure his appointment. He should be selected by the Public Service Commission. Before appointment he should be independent, but after he is appointed though the original Bill recommended that a two-third majority was necessary to remove him, the Select Committee recommended that if he cannot enjoy the confidence of the bare majority of the Corporation he shall have to go. "Therefore? "She," having regard to the powers, office and functions of the Chief Executive Officer he is placed better under this Bill. My friends have said that Mr. J. C.

Gupta said that he was prepared to go to the electorate on this issue. I am sure that if this question is put before the rate-payers of Calcutta—whether they wanted a Commissioner who should be independent of the party manoeuvrings—whether he should be dependent for the retention of his appointment on the support of this group or that group or that he should be a man who should come in independently and then it should be his business to see that he administers the affairs in such a way that he commands the respects of the majority, I have no doubt that the rate-payers of Calcutta will give the answer that they prefer what has been provided in this Bill. (Sj. Debendra Nath Sen: Why don't you test it?) I will test it. I have been called upon to contest a seat in Calcutta. I have, as a matter of fact, received certain letters to explain my attitude towards the Bill from some rate-payers. I have written to them. I wanted to address them on Sunday last but they have postponed it for reasons known to them. I do not shirk the responsibility. I never support something of which I do not feel convinced. I have no hesitation to refrain from voting if I find that there is something which is not in the interest of the rate-payers.

Then, Sir, it has been said that no powers are being given except to the Commissioner. There has been an important provision that has been made in this Bill of which not much notice has been taken. When we were members of the Corporation we used to deliberate, pass the budget, and formulate principles, but we had no hand in seeing to it that in the day-to-day administration the Corporation directions were carried out and monies were spent economically. There has been a new provision made herein that the Standing Finance Committee will have the right to watch and inspect the expenditures incurred in the day-to-day administration. They are entitled to give directions to prevent expenditure which they think is not justified. There are such provisions as show that power is not sought to be concentrated in the hands of the Commissioner selected by the Public Service Commission appointed by the Government but his acts were under scruting day-to-day which was impossible under the present Act of 1923. I have been asked by my colleagues in this Assembly to specially look at the provisions of section 28A inserted by the Select Committee—also section 24 which requires that the Standing Committee and the Commissioner will be bound to give effect to every resolution of the Corporation. With regard to the special new powers that have been given I draw their attention to section 27 of the Act which gives power to the members of the Standing Finance Committee and Accounts Committee to check and supervise the day-to-day expenditure, to give directions about those things-a new feature which at once destroys the argument that power was sought to be concentrated in the hands of the Commissioner.

Now, I have already said that the Commissioner was bound to act according to rules and was removable by a simple majority. In the next place, some criticism has been made regarding the appointment of the Service Commission. We all know and the rate-payers also know that in the Calcutta Corporation merit was not the main criterion. Merit was overruled in favour of the support that a candidate could secure from the Councillors of the Calcutta Corporation. Sir, you are aware that we tried to introduce competitive examinations on the result of which recruitment would be made of the Corporation officers. We had an examination and we made a list of the candidates. A few of them were appointed, and I understand that those who were appointed on the result of the competitive examination have made very good officers, but they are only a few in number. Mr. Rafique knows that after three or four appointments were made that list was nullified. It was a matter among Mr. Rafique, myself and another Councillor to the effect that we will support your candidate

and you support ours-not on the basis of qualifications. (Shaikh MOHAMAI) RAFIQUE: Then the Congress were in majority.) They were not. You know the Service Committee. But if you challenge I will mention all appointments which were made because J. C. Gupta wanted it or Mr. Rafique wanted it, but let us not go into acrimonious debates. We want to assure everybody—assure the rate-payers that the complaint that they had that the real meritorious people did not get a chance in Corporation employment is sought to be removed by the introduction of the Municipal Service Commission. It has been said that only a few appointments are made. Why should there be a Municipal Service Commission? They have not understood the scope of the Municipal Service Commission. They have got to conduct the examination. They have got to examine the cases where promotion is to be given. Promotion many a time used to be given to candidates who ensured the support of some powerful Councillors or Aldermen or a group of Aldermen. We want to do away with such things. Let the Corporation determine the principles and think of the measures which will help the rate-payers and let the administration be left on to those who are left in charge of the departments and let them always be careful to see that they do not make any mistakes. But if you want some heads of departments to take your man, you corrupt the heads of departments, because they will satisfy you by taking your man and they can feel that they will be able to do anything without expecting much criticism.

Therefore with regard to the Municipal Service Commission also the arguments that have been made will not be quite proper.

Sir, there has been a criticism and rightly too. We all want to introduce adult franchise. I had been trying to do that, as I have said on previous occasions, when Sj. Annada Prosad Choudhury was the Minister in charge and was bringing an amendment. He could not do that but I supported adult franchise. This time apart from other reasons one thing has appealed to me. Dr. Roy pointed out that if we adopt adult franchise, election will be postponed, for qualifications already provided for will require to be amended; preliminary rolls have been prepared, and there are certain other things. And I am sure having regard to the disappointment that the public have met with there has been no marked progress during the official regime: the sooner the election is held, the sooner the ratepayers will be satisfied. Therefore having regard to the fact that the election will be delayed and it will not be held in March next, I did not insist on the introduction of adult franchise immediately, but I am sure that after this election is held and after popular representatives are sent there, they will themselves recommend, and if my friends on the other side sincerely believe that they are going to be installed in power there will be no difficulty in introducing adult franchise. But today let us take this and the one argument that the election which the public want to be held now should be held immediately, and that ought to outweigh the consideration of the necessity of election on adult franchise which will delay election.

Sir, here are certain procedures—the publication of electoral roll, examination, etc.—which will have to be started afresh. That is why I have not insisted upon adult franchise.

Now, this measure has been passed involving many sections. There may be one or two defects but those defects can be rectified. I have mentioned one or two, but I think on the whole we ought not to be ashamed of doing our duty—I mean restoring the Corporation which had been almost given

a decent burial by the abuses that were made of the wide powers that were given by Sir Surendranath's Act. This Assembly and this Ministry, if they thought of the advantages and disadvantages, would have liked to avoid the passing of this measure at this stage, but I think the Ministry have rightly thought that the supersession ought not to continue and the Corporation should be brought into existence as early as possible only after making provisions for non-recurrence of the defects that were not alleged but were found by the Investigation Commission to be matters of fact. We ought not to argue on the abstract rights of democracy: we ought to look into facts as they stare at us after the findings of the Investigation Commission. And I would ask the whole House to pass the third reading of the Bill without any opposition. Sir, let me assure my friends opposite that I shall be glad to appear at any platform where they will want me to appear before the Calcutta rate-payers to explain my attitude.

With these words, Sir, I resume my seat.

(At this stage the House was adjourned for twenty minutes.)

## (After adjournment.)

Si. ANNADA PROSAD CHOWDHURY: বাননীর তেপুট স্পীকার সংগ্রন, আম এই ৰে কলিকাতা Municipal Bill third reading হচেছ, এটা ১৯২৩ সালের Municipal Billa বে ব্যবস্থা ছিল অৰ্গগত Sir সুরেজ নাৰ ৰশ্যোপাধ্যার বহাপ্রের চেষ্টার এবং আন্দোলনে তথ্যকার সরকারের হাত থেকে জনগাধারণ তথা কলকাতার rate-payers যে সমস্ত অধিকার পেয়েছিল, সেই অধিকারকে কার্যো পরিণত করতে গিরে অভিজ্ঞতার ফলে কর্পোরেশনের মধ্যে যে সমস্ত গলদ দেখা গিরেছে তাই দূর করার জন্য এই নুডন বিলের অবতারণা ৷ কিন্তু দেখা বাচেছ দে বিলে বে সমন্ত অধিকার জনসাধারণকে দেয়া ছরেছিল সে অধিকারগুলি ক্রমণ: যেন তাদের হাত থেকে সরিয়ে নিয়ে একটা সরকারী কর্মচারীর হাতে এনে centralised বা কেন্দ্রীভূত কর ছচেছ। একটু আগেই শুীযুক্ত যোগেশ গুপ্ত মহাশয় বলেছেন স্বৰ্গগত স্থৱেক্সনাথ বন্দ্যোপাধ্যায়ের চেটা ও আন্দোলনের ফলে যে সমন্ত অধিকার আমরা পেয়েছিলান, আমাদের গান্ধিলতির ফলে কর্পোরেশনের ডিডর নান। রুক্ম দুর্নীতি চোকার দরুন শেই সমস্ত দুর্নীতি দূর করবার জন্য এবং কর্পোরেশনের অবস্থার উনুতি করার জন্য আবার জনসাধারণের হাত থেকে সেই সমন্ত ক্ষমতা ও অধিকার কেতে আনতে আমরা বাধ্য হচিছ। Sir, আমি জিলাসা করছি কর্পোরেশনে যখন এই সময় দুনীতি চুকেছিল, যে দুনীতির অভিযোগে তার হাত খেকে ক্ষমতা কেড়ে নেবার স্থপারিশ শ্রীযুক্ত গুপ্ত মহাশয় করনেন, তিনি নাকি তখন Corporationএই একজন councillor ছিলেন ना ? य मुनौंि (थरक बाँচवात क्रमा आक्रांक कर्त्भारतनातत विश्वात क्रूण क्रवात প্রস্তাব করা হচেছ সেই কর্পোরেশনেরই কি একদা অধিনারক আজকের বাননীয় প্রধানবরী বহাশর ছিলেন না ? এবং যে দুর্নীতি ও গ্রান্দের অভিযোগ আজ কর। হচেছ, সরকারের তথাবধানে তিন বছরেরও অধিককাল চলবার কলে কি Corporation থেকে তা পুর হয়ে গেছে ? আল কলকাতার অধিবাসীদের বাকেই জিল্পাস। করা হবে बहै भूम, त्रहे बनाव-ना, कान छेन्छिहे इब नाहे, बन्न: व्यवनिष्ठ हरबाइ ।

ভাই বলছি, বে সরকারের পরিচালনাথীনে এই সাড়ে তিন, চার বছর চলার পরেও কোন উনুভির লক্ষণ দেখা বাচেছ না, সেই সরকারের বনোনীত করেকজন কর্মচারীর হাতে সরজ ক্ষরতা তুলে দিনেই বে কর্পোরেগনের রাজ্যনাটের অবহা, চলাচলের ব্যবহা, জলসরবরাহ ব্যবহা, assessment ব্যবহার উনুভি হবে এবং বুনীতি বুর হবে, একথা লোকে আজ বিপাল করতে চার না । ভারপর Corporation এই বুনীতি হাড়া আরও বুটো অস্থাবিধার সম্মুখীন । এক হচেছ তার অর্থের অভাব । এবং হিতীর হচেছ, সেই অর্থ ঠিক ঠিক ভাবে Corporationএর rate-payers স্বোর লাগান হব না এই অভিযোগ । এই বে অর্থের অভাব এই অভাব বুর করবার জন্য Corporation বব্য বব্যে সরকারের হারহ হবে-বার নিরেছে। আনি বধন করেক বাল মনী হিলাব, তবনও Corporationএর করেকজন তানিকলে আনার কাছে এনে বলেন বে Corporationএর করেকজন তানিকল আনার কাছে বনে বলেন বে Corporationএর করেকজন তানিকল আনার কাছে করেছিলেন, এবং এবনো ক্ষরেলারের কাছে করেব।

ৰুলকাতার motor vehicles বেকে বে tax পাওৱা বার তার কিছু বংশ Corporationএর পাওৱা উচিত। धनः नित्नमा (धरक य amusement tax जानाव हव जातक धक्ते। जान Corporation अन शास्त्रा डिव्हिंड । ভাছাড়া আরো কিছু কিছু ট্যাক্স আছে তারও কিছু কিছু Corporationএর পাওয়া উচিত কিছু সুরকার স্ব किछ tax है नित्य त्मन आज Corporation त्म जात अत्र कानावात सना भवनात्त्र बातच कर कर । बहु বন্ধবাদ্ধৰ আমার কাছে এলে জানিয়েছেন কর্পোরেশনে শূর্বে যে assessment rate ছিল সেই assessmentএর rate ঠিক ঠিকভাবে প্রয়োগ না করার দক্ষনই কর্পোরেশনে অর্থাভাব ঘটে, এবং তারি জন্য কর্পোরেশনের উপর ৰে ব্যাপক দায়িস্বভার চাপানো আছে সেটা ঠিক্রতন পালন হয় না। তথন Corporation assessment এর বৈ হার ছিল সেই হার অনুসারে যদি assessment সর্বত্র করা হত তাহলে টাকার অভাব হত না। কিন্ত শেখানে যাগাই তদির করতে পেরেছেন তাদেরই assessment কম হয়েছে, এবং যারা পারেনি, তাদেরই বন্ধি করা হয়েছে। স্নতরাং শকল ক্ষেত্রে ঠিক ঠিক assessment হলে ঐ টাকাছেই কুলিয়ে যেত। এখন ওরা কর্পোরেশনের কাজের ব্যাপকভার কমিশনারের উপর দিয়ে বলছেন যে Corporationএর ভিতর যে সমস্ত দ্নীতি সেটা Executive Officer নিয়োগের যে ক্ষমতা সেটা Corporation Councillorনের হাতে থাকাব ফলে, এবং wardএ warda electionএর voter list ইত্যাদি তৈরী করার ভাব সেই wardএর councillorদের হাতে থাকবার ফলে Corporationএর election ঠিকমত হতে পাবে না. এবং সেই জন্য Corporationএর ৰ্থারা অধিকর্তা তাঁবা ভাবভাবে স্বাধীনভাবে কাজ চালাতে পাবেন না, থেমন মাদ্রাল ও বম্বেতে স্বকাব মনোনীত Executive Officer যাকে এখানে কলা হয়েছে Commissioner, স্বাধীনভাবে কাজ চালাতে পারে। धार्थात्न उँएमत कथा टराइट धारे त्य मनकात् कर्ष्यक् वियुक्त शासार Commissioner जामाजात्व काल झानात्व भोतरबन । किन्त राष्ट्रे गर शुरमरभत्र अनुकत्ररम् ७५ Commissioner गत्रकात कर्द्धक नियुक्त शरा काम जान চলবে তা নম সে পব প্রদেশে যে adult franchise এব নীতি যা রয়েছে দেইটাই সর্বাণ্ডে গ্রহণ করা দরকার। यमि प्यापता अन्तर्गाथावर्गक जात्मत मात्रिक राधरक लेम्बुक कतरा शावि, अवः जात्मत चाराइ यमि मात्रिरक्व तांका जाशिरक **দিতে** পারি, তাহলে আজ না হলেও কিছ দিন পবে তাবা নিজেরাই তাদের নিজেদেব চেটার সমস্ত দনীতি ও আবর্ষনা দর করার জন্য এগিয়ে আগবে। কিন্তু Investigation Commissionএর রিপোটে ও এই adult franchise দেবাৰ কথা ব্যেছে, যে adult franchiseএৰ উপৰ আজু সাবা ভাৰতেৰ election চলছে এবং তাব উপরই তিত্তি করে, এই adult franchiseএব ভোটে নির্বাচিত সদস্যদেব ছারা পশ্চিম বল গতর্গমেণ্ট চলতে পাবে তাহলে তাহাবা Corporation এর কাজ কেন চলতে পারবে না এ তথ আমরা বঝতে পারছিনে।

আন্ধান্ধ ৪ বংগর সবকার কলকাত। কর্পোবেশন স্বহত্তে গ্রহণ করেছেন। এই ক্যবংগবের মধ্যে তাঁবা ইচছা করলে voter list তৈবী করতে পারতেন, কিন্তু দে সদিচছা তাঁদের নাই। তথনকার Administrative Officer Investigating Commissionএর কাছে আপত্তি ও অজুহাত তুরেছিলেন যে, জনসাবারণের হাতে ক্ষমতা দেওমা হলে নিতানৈমিত্তিক কাজে বিশ্বু স্কৃষ্টি হবে এবং কলিকাতার প্রগতিবাদীদল যে হাসাম আবস্তু করবে তা শাসনকার্যোর পক্ষে অনুকুল হবে না। তাতেই তাঁবা বলছেন ব্যাপকভাবে adult franchise করার পক্ষপাতী তাঁবা নন।

ভাবপর, কর্পোরেশনের একটি প্রাথমিক কর্ত্বর হচেছ জনসাধারণ বাতে বিশুদ্ধ জল ও নির্ভেজন বাদ্যম্বর পেতে পারে পেদিকে লক্ষ্য বাধা। কিন্তু কর্পোরেশনের পেদিকে মোটেই দৃষ্টি নাই। তার উপর জাবার নৃত্রন করে ১,৫০০ গালনের জায়গায় ৭৫০ গালন জল সবববাহের ব্যবস্থা করা হয়েছে। পূর্বে কলকাতার বাস্তায় রাস্তায় tube-well ছিল। এই পরিষদ পৃহে সেগুলির সংস্কার সাধন করার পুসকে উত্তর পেয়েছিলাম যে এইগুলি রক্ষা করা নাকি অভ্যন্ত বায়বহুল। এদিকে আমি মাননীয় ডেপুটি স্পীকার মহোদ্যের দৃষ্টি আকর্ষণ করে বলুছে চাই যে, কলকাতা কর্পোবেশন ডো বায়বহুল অনেক কাজই করছেন, শুরু এই সর জ্বকণী পুয়োজনের বেলায় তাঁরা কৈছিয়ং দেন চাকার আভাব। তারপর, আরেকটি অত্যাবশাস জিনিম হচেছ দুখ। সরকারই আজকাল বাটি দুব বলেন না, তাঁরা বলেন এন্ড per cent. রিষ এন্ড per cent. জল, এন্ড specific gravity ইত্যাদি নানা রক্ষ ব'লে জনগাধারণের বিনাপ্তি স্কটি করে শেষ পর্যন্ত বলেন চালামি, আজ আমহা দেখতে পাই গোয়ালারণি সরকারের এই সরজ ক্রিট্রকাপ দেবে দুবের স্কে milk powder মিলিয়ে বাঁটি মুধ ব'লে বিক্রী করতে সাহস পাছেছ। ভারপার জানী কর্মিয়া এনিয়ে এইটা মানা বিলাপ্তি স্বাহনির ভাগিরির নানা রক্ষ veriety ভ্রমিন বিলাপারী তার্বির বিলাপারী সেকার তার্বির বিলাপারী তার্বির বিলাপারী সেকার স্বাহনির বিলাপারী ভারির নানা রক্ষ veriety

ৰি ৰা বাজারে বিক্রী হয় তা বদি chemical analysis করা যায় তাহলে দেখা যাবে সেটা সাধারণের ব্যবহারের অযোগ্য। বি ব'লে আজকাল বাজাবে যা বিক্রী কবা হয়ে থাকে তার অধিকাংশ ingredients chemical laboratoryতে তৈরী কবা।

তারপব, কলকাতা কর্পোরেশনের একজন অফিসারকে কি ক'বে আবর্জনা থেকে গ্যাস তৈবী করা যায় সে সহজে শিক্ষালাত করার জন্য বিদেশে পাঠান হয়েছিল, কিন্তু ভিতরের উদ্দেশ্য ছিল তাঁর স্বাস্থ্যোদ্ধারের ব্যাপার। এইতাবে কর্পোরেশনের বহু টাকা খবচ হয়ে গেল। তারপব, কাঁচবাপাড়া town plan, underground railway, ইত্যাদি আবো সব নানা পবিকলপনায় অনেক টাকা ব্যয় হয়ে যাওয়ার পব এবন পোনা যাচেছ এব মধ্যে অনেক পরিকলপনাই নাকি আযাদের দেশে চলবে না। আমি পূর্বে একবাব জলেব কথা বলেছি; আবারো বলতে চাই যে, এবন তাঁরা বলছেন কলকাতায় লোকসংখ্যা বৃদ্ধির জন্য পর্যাপ্ত পরিমাণ জন স্বব্বাহ করা মন্তব্পর নয়। এটা কোন কাজেব কথাই নয়।

ভাৰপৰ, aignboardএর ব্যাপানটা দেখুন। জোট জোট ব্যবসাধীদেব উপৰ aignboard টাঙ্গাৰার জন্য ট্যাক্স ধার্য্য কৰা হয় ভাহ'লে ভাদেব পুতি অন্যায় করা হবে, কাবণ, এমনিভেই ব্যবসা করতে হ'লে license fee এবং জন্য পুকাব fee দিতে হয়। বত বড় ব্যবসাধীদেব উপৰ যত ধুণী টাাক্স ধকন আমবা আপত্তি কৰব না। আমি আৰু বিশেষ কিছু ব্ৰভে চাই না। শুনু এইটুকু বলব যে, এই গুরুত্বপূর্ণ বিল আপিনাবা ভোটাধিকোর জোবে পাধ কবিষে নিচেছন; কিছু জনসাধারণের জন্য কিছুই ব্ৰছেন না। এই ব'লে আমি এই বিলের ভীব বিক্ষতা কবছি।

Si. CHARU CHANDRA BHANDARI: মাননীয় তেপটি স্পীকাৰ মহোদয়, আমৰা Calcutta Municipal Billog ভতীয় পর্য্যায়ে উপনীত হযেছি। এই বিল সম্বন্ধে আধাদের এই দিন পেকে বিলেব পুখম এবং দিতীয় পর্যায়ে মিলে বহু বিরোধিত। হযেতে এবং সেই বিরোধিতা মাছেও সরকাব কোনবক্ষ ना म'त्य এই विन्नहा क्रानित्य याटक्का। अथन এই निन्ना पर ভाग जान करा गाव अकी। इटक्क legislative ক্ষমতা বা policy-making ক্ষমতা আবেকটা হচেছ executive ক্ষমতা। এবং এই বিলেব পুধান উদ্দেশ্য ছিল Calentta Corporationএৰ হাত পেকে executive ক্ষমতা হবণ কৰে নিমে সরকার কন্তক নিয়ন্ত কোন কন্মচাৰীৰ খাতে দেওৱা। এটা কৰার কাৰণ কি দেখান হয়েছে । কাৰণ দেখান হয়েছে Calcutta Corporation এর মধ্যে বহদিন থেকে যে দুর্নীতি ও mal-administration দেখা भिरयक्त छ। नितातनकरन्त्र এই विश्वास कवा १८४एछ। अवस एमवा याक अहे विश्वास सर्वेष्ठ कार्या कवी १८वा। Calentta Corporation এব নির্বাচিত Councillorনের ছাতে যে অমতা ছিল মেই ক্ষমন্তার একটা অংশ কেন্ডে নিয়ে কোনরূপ উন্তিব স্থাবন। আছে কিন। সেই জিনিয়ান সেগা যাক। এই এ।। বংগ্ৰে কলকাতা Corporation এৰ পুনন্ত ক্ষমতা Governmenta হাতে গিয়েছে, কিন্তু এই ক্যেক্ৰংগ্ৰে এমন কোন উনৃতি Calcutta Corporationএর পরিচালনায় দেখা যাধনি। আমি বিশেষ করে জানতে চাই এখন তো Councillor নাই, Calcutta Corporation এর মধ্যে এতাকৈ পুনীতিও পুর হয়েছে কিনা কিন্তু mal-administrationএর উণ্ডি হয়েছে কিনা। বাইরে পেকে আমবা যা দেবি ভাতে বলা যায় কোনরূপ উন্তিই হয়নি। তবং Calcutta Corporationএৰ কর্মচার্বাদের মধ্যে যে দ্বীতি ছিল ভারও অবসান হয়নি। এবং কলিকাতা কপোবেশনের কর্মচারীদের মধ্যে যে দনীতি ভার যে কোন অবসান হয়েছে, ভাও নয়। স্মতবাং আৰু আবাৰ কৰ্পেৱেশনের হাত থেকে সমস্ত Executive ক্ষমতা হৰণ করে নেওয়ার কি অর্থ থাকতে পারে ত। আমি জানি না। বরং এই বিলের খাবা জনসাধাবণের স্বার্গহানী **হওয়ার সন্ধাবনা** বয়েছে। অবশ্য, এটা ঠিক, যে Americace এই রকম ধবণের একটা system আছে। সেখানে কর্পোরেশনের হাতে legislative ক্ষমতা খাকে এবং অন্য একজন independent কর্মচারীর হাতে executive ক্ষতা থাকে। যে দেশে যে রক্ষ system চানু হয়ে স্ফলকাম হয়েছে, নেটা লে দেশের পক্ষে শন্তব । Américaতে যেটা শন্তব হরেছে, গেটা হঠাৎ এই কলিকাতার শন্তব নর । গত তিন, চার রছরের অভিজ্ঞতা থেকে আমর। যা দেখেছি তা থেকে স্পষ্ট বোঝা যার বে এটা কথনও সম্বৰ হবে ना। ज़ना এको (भट्न এই तकन এको। system हनएइ रहनेट एउटे system है। देवेर जानात्मत्र দেশে আনতে চাই না। বরং যে system ১৯২৩ গাল গেকে আমাদের দেশে চলে আসছে, সেই system রেখে তার মধ্যে যে সমস্ত ভুল, ক্রাট-বিচ্যুতি আছে সেগুলি কি করে সংশোধন করা যায় সেচা দেখা উচিত।

Corporation বা Municipal Administration এর কড়ক তুলি type আছে। আনাদের কলিকাভা ৰুপোৰেশনের বে type of administration চলেছিল সেটা একটা বিশিষ্ট type এবং এই জিনিৰ বহ चारन successful श्रत्ताक्। व्यर्गार वानारनन typebi श्रतक कर्णारनन्तन निर्नाष्ठिङ Councillorसन हार both policy-making करता बन्द executive करता हार बाक्छ। बहे किनिय बार्शात्तर स्वर्त हिन अवर क्व successful दृश्याह । किन्द अवादन एक्टि कि ? Investigation Commission अव report পড়ে বা বোৰা বাৰ বে valuation, assessment, collection, building এবং control ৰ্যাপাৰে অনেৰ বুকুৰ দুৰ্নীতি দেখা গিৱেছে। এখন সেইগুলি কি করে সংশোধন করা বার সেইটাই পূর্ণ। এইটা সংশোধন করতে গিয়ে গুরুত্ব ক্ষরতা কপোরেশনের হাত থেকে কেতে নিরে একজন গভর্ণবেশ্টের নিরক্ত কর্মচারীর হাতে দিলেই, সেই সংশোধন হতে পারে কি না। গত চার বংগরে শুধ গভপবেপ্টের নিবক্ত কর্মচারীদের হাতে ক্ষমতা ছিল, অন্য কারও হাতে control ছিল না, এবং গভণবেণ্ট সম্পূৰ্ণ স্বাধীনতা পেরেছিলেন তাকে भरत्नावन करवात समा । शर्क्त्यक वकन, এই ठाव वरगदा कान गर्त्नावन प्रदाह कि ना । कान विवयस উন্তি হরেছে কিনা-কর্পোরেশনের কর্মচারীদের বধ্যে যে সময় দ্বীতি আছে তা দ্র হরেছে কিনা এবং assessment, valuation ও collections বে সমন্ত দুৰ্নীতি ছিল তা গিরেছে কিনা ? স্বামান মতনুর স্থানা খাছে, এ জিনিম বারনি। বোটাবাঁট কিছ assessment বাডানো হয়েছে, ডাছাডা সব জিনিম একইডাবে আছে। কপোরেশনের বধ্যে সব দুর্নীতি ররেছে, বুদ পর্যন্ত চলছে। আগে ১৫ জন লোককে বুদ দিতে হ'ত, धर्मन धर्म कनत्क मिरलपे हनत्व । ऋखताः धि जारानाथरान्त्र श्रेष्ठा नव । जातास्त्र कथा घरहरू व यमि नारानाथरारे ৰুৱতে হয় তাহৰে সেই system of administration ও যে type of administration ১৯২০ সাল থেকে চলে আসছে ডাকে রেখে সংশোধন করবার উপায় কি সেইটা ভাবা উচিত ছিল।

বারা rate-payers, বারা consolidated rates tax দেন তারাই কেবল Councillorদের নির্বাচিত क्रवरन । जानता धर्मन दर system of Government ও Constitution পেরেছি তাতে বলা হচ্ছে ৰে ভারতবাসী আৰু adult franchise পেরেছে। কিছ কনিকাতা Corporationএর ব্যাপারে ভিনু बाबचा १८०६। এशान बना १८०६ वादा rate-pavers जातार जाते पिवात पश्चिती प्रत्य। किन्न कनिकाजा कर्रभारतन्त्र rate-payersत्त्र त्य चार्थ. चात्र यात्रा rate-payer नव यात्रा consolidated rates tax लब ना जात्मबर लोहे चार्च जाएक । यात्रा मार्ग शांकरना होका rate4 tax लन जीत्मबर य चार्च, जाब बाब। সাৰান্য tax দেৱ ৰা একেবারেই দেৱ না, তাঁদেরও সেই স্বার্থ। সকলেই চায় যে কলিকাতার রাম্বাঘাট ভাল হৰে, জন সরবরাহ ও আলো ভাল হবে, তার sanitary ও conservancy ভাল হবে। অতএব এই সমস্ত ৰুৱার একৰাত্র উপায় ছিল adult franchise introduce করা এবং দেখা, যাতে ভাল ভাল লোক electorate হতে পারে এবং তাদের ভালভাবে training দেওয়া। এইটা করা উচিত ছিল, কিছ তা না করে, তাঁরা যা করছেন সেটাকে বলে cutting the gordian knot. এই administration তাঁরা হাতে नित्न थो। श्रीताभ श्रद कि जान श्रद, छ। গত চার বংসরে পুষাণ श्रद शिखाइ। Investigation commission adult franchise সম্পর্কে যা recommend করেছেন এবং তার বিরুদ্ধে মুখ্য নয়ী ৰহাশন ৰে ৰঞ্জি পুদুৰ্শন করেছেন এই adult franchise না দেওৱার পক্ষে দেটা নোটেই বৃক্তিসঙ্গত नरह । कावन, यनि अपन अको। बाानाव इब र्य, West Bengal Government अब बर्बा corruption ও mal-administration হতেছ দেৰে Delhi Government হঠাৎ তাঁদের হাত থেকে পৰত executive " ক্ষতা কেড়ে নিয়ে অন্য আর কোন ব্যক্তির হত্তে দেন, তাহলে কি এর পুক্ত সংশোধন হবে, না অন্য রকণ **সংশোধনের উপার আছে ?** 

বর্জনান গড়প্রেণ্টের বধ্যে বহু দুর্নীতি ও mal-administration আছে। কিছ, তা দুর করবার উপার এই জিনিব নর বে, হঠাৎ একজন Super-Commissionerকে West Bengal Governmenta বিদরে দিয়ে সবস্ত executive ক্ষরতা তাঁর হাতে দেওবা বার এবং বন্ধী বহাপরদের হাতে বদি কোন ক্ষরতাই দা বাকে, তাহলেই কি এটা সংশোধন হবে ?

প্ৰভোগট পণতাহিত বেশে এৰ একটা উপাৰ আছে—it is an appeal to the electorate. It is an appeal to the people.

এই জিনিবটাই করা উচিত ছিল। এই জিনিবটা না করে, একটা retrograde measure করা হচ্ছে, এটা বুবই অন্যার। Government এই বে একটা প্রতিক্রিরাণীল আইন করছেন, এ করবার কোনই কারণ ছিল না। অনর্থক তারা এই বিল পাশ করাতে চাচেছ্ন।

ইডিমধ্যে অনেক গলং আমাদের পক্ষ থেকে দেখান হরেছে কিছু তিনি unbending. তিনি Commissionerকে Corporationএর কোন রকষ controlএর মধ্যে আনতে দিলেন না। এই বিশেষ মধ্যে পুতি clause এবং sub-claused Commissionerকে statutory power এত বেশী দেওৱা হয়েছে বে Corporation Commissionerকে আলালা rule করে control করবার কোন scope থাকলো না। এই সহছে আমরা অনেক সংশোধনী প্রতাব দিয়েছি কিছু কোনটিই গৃহীত হয়নি। গতর্পমেণ্ট সংখ্যাধিক্যের জোরে তাঁদের ধারাগুলি পাল করলেন। পাল তাঁয়া করলেন বটে, কিছু বে ইতিহাস তাঁয়া আজ্ব রচনা করলেন, সেটা খুবু স্থাবং ইতিহাস হবে না।

Administration সন্দৰ্কে বা অন্য বিষয়ে যে সমন্ত ভাল ভাল পুত্ৰাব এদিক থেকে এপেছিল ভার একটি ছাড়া আর তাঁরা গুহণ করেন নি। যেটি তাঁরা গুহণ করেছেন সেটি হচেছ্ consolidated rates সন্দর্কে। যেটা ক্রমবর্জনান graded করেছেন, সেটা ভাল করেছেন। কিন্তু, এছাড়াও আরও বহু ভাল, ভাল পুত্রাব ছিল, বিশেষ করে রক্তিক সাহেবের কতকগুলি পুত্রাব ছিল, rebate দেওয়ার বাগোরে। রক্তিক সাহেবের যে এই সংশোধনী পুত্রাব ভাষাটা একটু গোলমাল আছে বটে, কিন্তু ভাষার মধ্যে যে ভাষ ররেছে, সেটা কেন মাননীয় মন্ত্রীমহাশয় বুরুতে পারেননি, তা আমি বিশাস করতে পারছি না। রক্তিক সাহেবের যে পুত্রাব ছিল, ভাতে বলা হয়েছে যে rebate দেওয়া হোক lightএর জন্য এত, educationএ এত, conservancyতে এত ইভাাদি, এটা পুধান মন্ত্রী যে কেন বুরুতে পারলেন না, তা আমি বুরুতে অক্তম।

ভার বিতীয় পুজাৰ ছিল যে কলিকাতার বন্ধি area ও undeveloped areaর যে সমস্ত ward আছে ভার একটা তালিকা করে, বংসরে, বংসরে অথবা বিভিন্ন periodd consolidated rates tax আদার হবে। এটা রফিক সাহেবের ভাল পুতাব ছিল। এটা একেবারে reject না করে দিয়ে, এই rateটার আর্ক্তেক বা দিকি ভাগ বাদ দিয়ে, এই পুতাবটা প্রহণ করা উচিত ছিল। এই রকম ভাল, ভাল অনেক পুতাবই তাঁয়া গ্রহণ করেননি।

এই আইন অনুসারে যথন এই বিল কার্যকরী হবে তথন গতর্পবেণ্ট এবং গতর্পবেণ্টর বব্যে বাঁরা আছেন, তাঁরা উপলব্ধি করবেন যে কি কুকাজটা তাঁরা করে গেলেন। তাঁদের মাধায় চুকেছে যে Council manager system করতে হবে, অতএব তা করতেই হবে। সেটা আইনের ভিতর দিয়ে, academic wayতে অন্য দেশে যে ব্যবদ্ধা আছে, সেইটা তাঁরা এখানে করতে চান। আনি বহুবার বলেছি, আপনারা যে Building Rules করেছেন, সেটা London County Councild যা আছে, ভারই নকল করে দিয়েছেন। যে system of administration এখানে আনা হবেছে সেটা America খেকে ব্যুক্ত নকল করে নিরেছেন। এই বিলটি যদি আইনে পরিণত হয় ডাহ'লে কাৰ্য্যকরী হবে না।

এখনও সময় আছে, এই বিনটি প্ৰত্যাহার করুন। এই কয়েকটি কথা বলে আমি পুধান মন্ত্ৰী মহাশয়ের প্রামটির বিরোধিত। করছি।

## Point of Privilege.

- 3j. DEBENDRA NATH SEN: On a point of privilege, Sir. Just now a document has been circulated. It is an important document. It is the report of the Sales Tax Tribunal. May we know if we will be allowed to discuss this document and if so, when?
- Mr. DEPUTY SPEAKER: This is the report of the Sales Tax Tribunal appointed under a certain notification of Government of a certain date, and Government has circulated the findings of the Tribunal with the consent of the Speaker as it is generally done and desired by the House. In these circumstances I do not think any debate can arise at this stage,

as there is no statutory obligation to have a debate on such a subject. But members can relevantly refer to this matter when discussing some other subject (Cries of "when, when" from the Opposition benches).

- 8]. HARIPADA CHATTERJEE: This is a very important document and we want to have a discussion on it.
- Mr. DEPUTY SPEAKER: &I cannot allow this debate to go on just now and I therefore leave the matter there.
- 8j. DEBENDRA NATH SEN: Sir, we shall have to bow down to your ruling, but it appears you have been reading from a typed copy.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: That is an insinuation, Sir.

- 8j. DEBENDRA NATH SEN: In the course of a debate we can refer to it but what opportunity can we have, say tomorrow, to make a reference to it?
- Mr. DEPUTY SPEAKER: That is not for me to say and I cannot allow this sort of debate to go on.

## The Calcutta Municipal Bill, 1951,

Dr. SURESH CHANDRA BANERJI: মাননীয় ডেপুটি স্পীকাৰ মহোদয়, এই বিল সম্পর্কে ইতিপূরের্ব অনেক কথা আমাদেব পক থেকে বলা হয়েছে, আমি নিজেও বলেছি। এই বিল সহজে আমাদের মত কি তাহা সবিস্তাবে এই কয়দিন ধবে বজ্তায় ও বহু clauseএব আলোচনা পুসকে আমবা বাজ করেছি। তবু এমন একটা গুকুছপূর্ণ বিলের third readingএব সময় কিছু কিছু না বলে থাকতে আমাব মন কিছুতেই মানছে না, তাই সব কথা বলা হওয়া সম্বেও এই শেঘ সময় আমি দুটাবটে কথা বলতে চাই।

পুথমতঃ, আষর। বলেচি যে এই বিলটা পুগতিবিবোধী, অর্থাং দ্নিয়া চলেছে এক দিকে, আর এই বিলটাকে নিয়ে আমর। চলেছি সম্পূর্ণ উলেটা দিকে। এ বিলেব পুতি পদক্ষেপে, পুতি claused আমরা অগণতাপ্তিক অথবা গণতপ্তবিবোধী মনেব পবিচয় পেয়েছি। ভাঃ নায় হয়ত বলবেন যে তিনি কল্মী, তিনি কাজ চান। কাজ সকলেই চায়, কিজ কাজেব পদ্ধতি নিয়েই হচেছ পুশু। কিজ তিনি প্রায়শঃ এই কথা বলেছেন—ক্ষপেপ্ট ভাষায় না হলেও, আকারে ইকিতে,—যে জনগণ মূর্ব, তাবা কিভাবে যে কাজ কবতে হবে ভাল বোঝে না। কাকে কাকে ভোট দেবে না দেবে তা ভাল ব্বতে পারে না, কাজেই তালেব ভোটের হাবা নির্বাচিত Councillorদেব হারা কপোরেশন চলতে পাবে না। তিনি বলেছেন যে বহুদিন তিনি Corporationa ছিলেন: Corporationa কাজ কি করে চলে তা তিনি দেবেছেন। তিনি বলেছেন, দিনের পব দিন meeting চলে কিন্ত agenda শেষ হয় না. wrangling চলে। স্থতবাং এইভাবে কাজ চলতে পাবে না। এবং সেইজন্য তিনি Corporationকে গভর্ণমেণ্টের অধীনে আনলেন, একজন I. C. S. administrator Corporationa গেলেন, তিনি Corporationএর রপচক্রে হাত লাগালেন, আমবা সকলে ভাবলাম এবার বুঝি রপ চলবে। কিছে দেখা গেল কি, শুমু ক্যাচ কাঁয়চ শব্দ শোনা যায় মাত্র বথ একটুও এগোয় না। গত যুগে ছিল, যে ব্যক্তি বিশেষ রথে হাত দিলেই বথ চলত। সেটা ছিল বাজার যুগ, Dictatorএব যুগ, তবন চলত। এখন বর্তমান যে যুগ, এ যুগে রথ কি করে চলে গ্লে চলে, যদি সকলে মিলে বথে হাত দেয়। স্থতবাং গভণ্যেণ্ট যে গিয়েছিলেন administratorএর সাহায্যে রথ চালাতে, তাৰ ফলে রথ চলেনি।

সেখানে Corruptionএর কথা বলা হয়েছে। কর্পোবেশনে দুণীতি রয়েছে, সেত সর্ববাদীসন্তত। আমার শ্রিম বন্ধু হরেন বাবু বলেছেন (The Honble Rai Harendra Nath Chaudhuri: আবার শ্রিম কেন, শুধু বন্ধুই বন্ন) এবং বলে খুব ভালই করেছেন যে কর্পোবেশনে আমার একটা Union আছে, এটা সকলেই আনে। সেখানে আমি একটা strikeও করিয়েছি। কিছু আমার ঐ Unionটা পঠনের পুধান উদ্দেশ্যই ছিল কর্পোরেশনে যত দুর্নীতি আছে সেটা দূর কবা যায় কিনা সেই চেটা করা। আমি চিরকাল গঠনমূলক কর্মী, আমার সব কাজের মূলে থাকে কিছু একটা গড়ে তোলা যায় কিনা এই উদ্দেশ্য। কর্পোরেশনে আমার ক্রীয়া চেটা করেছিল যারা চুরি করে জানের ধরিরে দিতে। কিছু গতন্বেণ্ট করজেন উল্টাব্যবা।

কার। চোর ধরিয়ে দিতে যার তাদের হলে। শান্তি, আর যারা চুরি করে তাদের হল উন্তি।। এ সংক্ষে বছ চিটি আমি ডাঃ রায়কে নিখেছি, কিন্ত কোন সজোমজনক জবাব পাইনি। মুডরাং কর্পোরেশনে দনীতি যে আগের চেয়ে বেডেছে তাতে কোন সন্দেহ নাই। আগে Councillorদের কাছে বলে, পতিকার হতো। কিছ ৰৰ্জমানে administrator এ বিষয়ে যে চিঠি আমরা লিখি এ সংছে, তার কোন উত্তর আগে না। তারপরে তাঁর কোন উত্তর না পেয়ে যখন ডা: রায়কে লিখি তখন বহদিন পর হয় ত তাঁর উত্তর আনে, কিন্তু তাতে তখন আর কোন কাজ হয় না। আমাব কাইলটা যদি দেখেন তাহলে দেখতে পাবেন কত চিঠি আমি এ সহদ্ধে লিখেছি। ভাই বলি আগে প্ৰতিকাবেৰ পথ ছিল, এখন সে পথটা কন্ধ হয়েছে। যখন আমি corruptionএৰ কথা বলচি আমর পিয় বন্ধ বায় হবেন্দ্র নাথ চৌধ্বী এসব না জেনে বাগ করেছেন। আমি পুতিকারের পছা জানি, আমার একটা Union আছে দেখানে। তার ফলে জানি যে অনেক officer কি করে দরীতি অনুসরণ ক্তবে চলেছে এবং তাদের উনতি হয়েছে। ডাঃ রায় জানেন inside থেকে, আব আমি জানি Corporation-এর outside (शदक (The Hon'ble Rai Harendra Nath Chaudhuri : Inside and outside agree ক্রলেই ত হয়) সেটা ক্রতে পারছিলা কেন—বলছি, ডা: রায়েব যে দ্বষ্টভালী সেটা একালের নৱ, সেটা পরাণোকালের বিগত শতাবদীর। সে বগ অন্ততঃ পক্ষে ৪০০ বছর আগেকার, সেটা হচেছ ইংলপ্তেম্ব ১৬৪৮ गार्लव यश यथन Charles I was executed. उथनकाव त्यरे मृष्टिंजकी निरंत छा: तात्र हरलाइन । जात्र আমাদের চোগ্লের সামনে রয়েছে ফ্রাসী বিপুর, রাশিয়ার বিপুর; এবং আমাদের চোখের সামনে রয়েছে চায়নায় সম্পতি যে বিপ্ৰটা হয়ে গেছে--যা নাকি গণতান্ত্ৰিক আন্দোলনকে এডদিন এগিয়ে দিয়েছে তাৰারা আমরা জন-পাণিত হচিছ। আমবা static নই, মৃত নই, আমবা এগিয়ে চলেছি, আর Dr. Roy is dead.

এই হলে। তাঁতে আর আমাদেব মধ্যে পার্থক্য। আজ ডা: বায়কে তাই বলতে চাই এমুগের রথ এইভাবে চলে না, বথ যদি চালাতে হয়, তবে গে গভর্ণমেণেনিরই রথই হোক, সমাজের বথ হোক, বা কর্পোরেশনের রথ হোক, জনমতকেই অবলহন করতে হবে। ববীক্রনাথের একটা পুসিদ্ধ নাটক আছে "রথযাত্রা", সে রথে রাজ্যা হাত লাগালেন চন্ননা, মন্ত্রী, সেনাপতি, কোটাল সবই একে একে চেটা করল চন্ননা। তারপবে চালাবে কারা— জনতা হাত দিলে তবে চলবে। ডা: রাযকে আমি অনুরোধ করছি বইপানা যদি তিনি না পড়ে থাকেন তবে একবাব পড়ুন। (The Hon'ble Niharendu Dutt-Mazumdar: কোন বই গ) রবীক্র নাথ ঠাকুবের পুসিদ্ধ নাটক রথযাত্রা।

১৯২৩ সালের বিলেব একটা সংশোধনের যে প্রয়োজন ছিল সেটা আমি স্বীকাব করি। স্বর্গগত স্থরেক্স নাধ বন্দ্যোপাধ্যায় মহাশ্য যে আইনটা করে গিয়েছেন তাতে তিনি সেই কালানুসাবে থানিকটা গণতছ এনেছিলেন, ভারপরে বহু ঘটনা এদেশে ঘটেছে। ১৯৫১ শাল নিশ্চমই ১৯২৩ শাল নয়। স্থারেক্স নাধ একটা মন্ত ভুল কবেছিলেন একটা মৃত্যবান সেই বিলের ভিতর সংযুক্ত করে। তিনি পর্ণবয়স্কদেব ভোটের অধিকার দেন নি। এই মত্যবানেব জন্যই কর্পোরেশন ঠিক্মত বাঁচতে পারে না। বহু রখী ও মহারখী চেটা করেছেন, দেশবদ্দাশ চেষ্টা করেছেন, ডাঃ বিধান চন্দ্র রায় চেষ্টা করেছেন, নেতাজী স্থভাদ চন্দ্র চেষ্টা করেছেন, তারপর দেশপ্রিয় যতীক্র মোহন বহু দিন তিনি কর্পোরেশনের মেমর ছিলেন, এবং সকলেই বড় বড় মহারখী তাতে কোন সন্দেহ নাই, কিন্তু যার দেহেব ভিতবে, প্রাণের ভিতরেই মৃত্যবান লুকিয়ে আছে সে কিছুতেই বাঁচতে পারে না। তাই ডা: রায় যখন দেখলেন যে কিছতেই একে বাঁচানো যায় না, তখন তিনি করছেন কি, না দেই একে একেবারে শেষ করে, দেই একে একদম মছে ফেলে!! (The Hon'ble Bhupati Mazumdar: Dead !!!) আপনার মত ৰহ লোক চেটা করেছে দেশকে মারতে, সমাজকে মারতে, রাষ্ট্রকে মারতে। কিন্তু তবু দেশ মরেনি, সমাজ মরেনি বাষ্ট্ৰ মবেনি, মৃত্যুর মধ্যে থেকে আবার বেঁচে উঠেছে। তাই আমি বলছি আজ কর্পোরেশন মরল বটে, কিছু সে চিত্রকাল মরে থাকবেনা। আগামী নির্বাচনে কি হবে না হবে জানি না, কিন্তু এটা গ্রুদ্ধ সত্য যে কর্পোরেশন আবার বাঁচবে । জনগণ তাদের অধিকার ফিরে পাবে । যে অধিকার থেকে তারা আজ চ্যুত হল, সে অধিকার তার। পাবেই পাবে এবং তাদের কর্পোরেশন তারাই চানাবে। সে দিন বেশী দূরে নয়। আপনিও হয়ত দে<del>বে</del> যাবেন এবং আমিও ছয়ত দেখে যাব।

The Hon'ble Dr. BIDHAN CHANDRA ROY: Sir, I have heard with patience the speeches—even the eloquent speech of Dr. Banerji—unmoved and unconvinced. All their arguments have not been able to give me any new light. But before I proceed to the Bill itself, Sir, I desire to convey

to the members of the Select Committee my grateful thanks. They have worked hard. In fact, I was called a slave-driver because of the way in which we worked at Darjeeling. We worked for 8 hours a day and that is how we have been able to produce an amended Bill consisting of such a large number of provisions. I must also thank the secretariat of the Assembly and of the Legislative Department who did yeoman's service throughout the long and trying period of our deliberations in Darjeeling. I also thank the officers of the Corporation who gave their best in discussing all the various problems in all their various aspects.

Sir, it has been said over and over again that the Bill of 1923, that the Temple of Liberty which was erected by Surendranath Banerji, is about to be taken down.

My friend Mr. J. C. Gupta has said already the temple was defiled not by this Government or even by this Assembly but by those on whom the responsibility lay to see that the provisions of the 1923 Act are followed in the spirit in which they were drafted. Sir, we are always told that in 1923 such a thing has happened; in 1951 there is reverse process. My friend Dr. such a thing has happened; in 1951 there is reverse process. My friend Dr. Banerji said that he is not static. Let me assure him that nobody can afford to be static at the present moment. What was the position with regard to the Corporation when this Assembly decided to supersede it? In 1923 as everyone is aware, a structure was given to the rate-payers of Calcutta—a structure in which I have no doubt whatsoever there was a great deal of freedom of activity given to the representatives of the people. For several years—I shall not be very wrong if I say for about a decade or so—after the elections of 1923 the Corporation worked under the craparised holds of the elections of 1923 the Corporation worked under the organised body of the Congress, and here I can bear testimony to the fact that during the first period everything seemed to go on well. Then came a difficulty. What happened? The same provisions remained; Councillors came repeatedly after three years. What happened that brought the Corporation to that stage when even a supersession was not commented upon adversely by the public? That is because the Councillors that were elected repeatedly under That is because the Councillors that were elected repeatedly under the franchise did not know the jewel, the pearl that was given to them. They misused the pearl, and why was it so? Obviously, the Corporation has to act through some machinery, through some agencies. These agencies were appointed according to the provision of the Corporation Act of 1923 by the Corporation itself. What happened during the first ten years when they seemed to work very well, and why is it that ultimately they seemed to drop off. As Mr. Gupta has said I can bear testimony to the fact that often enough the Corporation officers seem to be the masters of the situation. I have known of officers of the Corporation who could command majority in the party in the Corporation itself, and they could say exactly who should be taken and who should be rejected. Therefore, Sir, time came when it was necessary for us to investigate the position of affairs or the situation in the Corporation for which an Investigation Commission was appointed. My friends opposite have said that lot of money has been spent for nothing. I say they have given us a very valuable report for which we are eternally grateful to the members of this Commission. The report was that there was no liaison between the officers and the Corporation members, that the Corporation members and the officers were not acting as a team as was probably visualised when Sir Surendranath had made the provisions of the Bill; and they laid down three propositions, namely, that one was that there should be a Council Manager which my friend Charu Babu is not enamoured of. But the principle behind it was, as has been laid down in the Report itself, that there should be a differentiation between the policy-making body of the Corporation and the Administrator of the Corporation. The Council Manager himself as is provided for in the U.S.A.—not that I am enamoured of it—is appointed by the Counicl it is true but with a statutory power and not

delegated power as was conceived in the provisions of the 1923 Act. We read that and we thought that the best way would be not to take that example of the U.S.A. but to have a person who will be above the influence of the Corporation members at the time of his appointment. At the time of his re-appointment we have suggested that the Corporation should give their opinion. We have said also that the Corporation, as Mr. Gupta has pointed out, has the power, if they find that the Commissioner is not working properly, to ask for his dismissal, and he has to be dismissed.

Throughout the provisions of the Act there is not one place—and I challenge anyone to show me otherwise—where the Commissioner has been given any power which is not again checked by another check somewhere else in some other fashion. Whether it is a check of the Standing Committee, whether it is a check of the Corporation, whether it is a check of the provisions of the Act itself, whether it is a check of the rules and by-laws framed by the Corporation, the check is always there. The Select Committee were very particular. They read through every sentence of the provisions of the Bill and were very particular to see that at no place the Administrator or the Commissioner would be allowed to act in his own way in a haphazard manner. The main conception of the Bill is that there should be three authorities working together in co-operation and not in juxtaposition, so that they might take action, they might go on to act in a particular manner. And how they would act has been provided for in the provisions of the Bill itself which is before you for acceptance. The Corporation, the Standing Committee, and the Commissioner—we have tried to bind them together in such a way that nobody would be able to act beyond the limit that is laid down for him. Sir, it is all very well to say that a man should be allowed freedom of action. I have been one of those who, even when I was in the service of Government, had always felt that an individual should be allowed freedom within a particular sphere, but when you think of a Corporation, when you think of a large number of people working together, when you think of appointing a large body of men to carry on the work of the Corporation, you have got to think of the old system of checks and balances. I am not ashamed of repeating it over and over again that if, as Dr. Banerji will himself testify, you take your own human constitution, you will find that there is always a system of checks and balances; lung, heart, liver, brain—they all check one another. It is only in that method that nature wants to produce a certain amount of co-ordination between different units that apparently work separately. Therefore, in this case also whenever they seem to be separate units, they are tied together—one with the other. For instance, before the Chief Executive Officer had delegated powers, the Standing Committee had no statutory powers to check the accounts of the funds that are spent for the Corporation. Here it is provided that the Standing Committee will have those statutory powers and they will be held responsible if they do not perform this function. Therefore I say that an attempt has been made to define what the functions of the three bodies should be, and to see that the Corporation ultimately is the final authority. The only thing is that instead of delegating powers every year as it used to be done in the past, there will be certain powers delegated in the Act itself, certain powers will be delegated by rules and by-laws to be framed by the Corporation, so that the officers will know what are the limitations, what are the regions within which they can work, so that the employer may know, the Corporation or the Standing Committee may know who is at fault when there is anything going wrong in a particular manner. Therefore, Sir, I feel that that portion of our recommendation, namely, the question of appointment of a Commissioner who will be in executive charge of the administrative work of the Corporation subject to the provisions of this Act and of the by-laws, etc., is a very valuable addition to our present system.

The second point that was made by the Enquiry Commission was that there should be an Election Commission. Although we did not actually say that there should be an Election Commission but we visualised that the rules and by-laws should be provided in this Bill in such a way that bad men are not likely to come. As a matter of fact an Election Commission was proposed by this Enquiry Commission, because they felt that the existing system of the Calcutta Corporation under which the whole election is run by the official is very vicious. I have known of instances when the whole election had been managed or mismanaged by certain officers or groups of officers in their own personal interest.

With regard to the third point, namely, the question of adult franchise, the position was this: Mr. J. C. Gupta has explained this matter to a certain extent—this Assembly had accepted the method of election to the Corporation in April 1950 and according to that, provisions have been made and steps have been taken, rules have been prepared from 1st of April, 1951. Election takes 7 months, for the electoral rolls to be prepared and for doing other necessary things and if that particular provision of the Act is scrapped today then there will be no election next year. According to the provisions of this Bill names of persons who will be on the electoral roll would be those who had paid taxes or who would pay taxes up to a particular time. Of Course in adult franchise the question of payment of taxes does not arise. But even then the electoral rolls have to be prepared and that will take time. Therefore we had to take it as a measure of compromise and not that we are afraid of it, namely, the adult franchise, neither do we despise it so far as it goes, but we think that it was not possible to be taken up at this stage. Sir, the main argument of the Opposition seems to be that we want to convert the Corporation into a department of Government. I entirely deny it. There is no substance in the argument. Their main point is the appointment of the Commissioner by the Government. That has obsessed my friends opposite to such an extent that they are thinking that everything is bad in this Bill. If it is found—as Dr. Banerji's formula is to be dynamic enough and not static, that the present Bill does not satisfy the requirement of the situation, there is nothing to prevent you to drop one or other provisions of the Bill. At the present moment this is the best construction of the Bill, the best structure that we can put before the House. Often it has been said that the Government wants to make the whole thing a department of Government. What form of Government will it be under the adult franchsie of which my friends opposite are so enamoured. I for one have my doubts whether by adult franchise we shall get exactly the results we are thinking of. But supposing we have really a set of incorruptible men coming to the Assembly, why should they be so nervous about the operation of the present Government? Either they do not believe in the whole theory for which they are working-either the whole thing is merely a make-belief for the purpose of propaganda, or they do not believe at all that the Government under adult franchise will be any different from the present Government. I feel this that after all Calcutta is the nerve-centre of the whole of the province and that the Provincial Government also operates in the city of Calcutta. The Calcutta Corporation is a specialised body which has been asked to perform certain functions. Why should there be any difficulty for the two bodies, the Government and the Corporation, to act together in co-operation and in sympathy and not to be at loggerheads. I feel that if that is done it will be all very good. But if that is not possible—i.e., if it is not possible for either the Corporation or the Government to perform their functions properly—then what will be the position? The Government had to advance Rs. 45 to Rs. 50 lakks for payment to the workers of the Calcutta Corporation. How can the Government feel satisfied about it? How can the

Ministry come to the Assembly and say that we have given Rs. 50 lakhs to the Corporation unless the Government feel satisfied that the money so given to the Corporation has been spent in a way in which it should have been spent. Provision has been made in the Ball to make it obligatory on the future Corporation to keep the accounts in a proper order for audit purposes. It is only for the purpose of working together that the Corporation is to get the grant or help from Government. The Corporation has to work in a manner in which it can satisfy the needs of the town of Calcutta. Therefore, it has been felt that there should be complete co-operation between the two great organisations, Government and the Corporation. In the olden days we used to think in terms of independence, in terms of autonomy, and so on. After all today there is no Local Self-Government which is but a misnomer, because at the present moment Self-Government is now applicable to the whole of the province. It is not confined to one particular area which was set up during Lord Ripon's time for the purpose of training people in the art of self-Government. Now it is your Government and you can drive away the Ministry if you feel that the administration is not being properly carried out. I have asked many times my friends opposite that if they feel so, they are welcome to put in a vote of censure. It is no good saying that we are not doing things in a regular way, or that we are wanting to make the Corporation a department of Government. I yield to none in my anxiety for the protection of the rate-payers of Calcutta, that they are protected from the vagaries of the future municipal commissioners. We have therefore made the provision. We do not claim all wisdom or all perfection. We do say this, that we have applied our mind to this task, but we have never thought of any idea of controlling the Corporation, because I do not believe that the Corporation should ever work as a department of Government. This is not my thought. That is not my idea, and that is not the way in which I approach the whole problem. I still feel that there is a great deal to be done so far as the Corporation is concerned. I feel that the civic rights and civic ideas of the people should be developed. Whether they should be developed by means of these clauses of the Bill or whether these clauses need be altered, I am not very much concerned with. If they need to be altered, let them be altered, but let us take one step forward as far as we can see in order that the pristine glory of the Calcutta Corporation might be returned to the great organisation to which we all belong.

The motion of the Honble Dr. Bidhan Chandra Roy that the Calcutta Municipal Bill, 1951, as settled in the Assembly, be passed, was then put and a Division taken with the following result:—

## AYE8-44.

Abdullah, Janab S. M.
Abdus Shokur, Janab
Banerjee, Sj. Sushil Kumar
Barman The Hon'ble Syama Prasad
Bhattacharyya, Sj. Shyamapada
Chakravarty, Sj. Satish Chandra
Chaudhuri, The Hon'ble Rai Harendra
Nath
Das, Sj. Radha Nath
Das Gupta, Sj. Khagendra Nath
Dass, Sj. Kanallal
Dolui, Sj. Harendra Nath.
Dutt-Mazumdar, The Hon'ble Niharendu
Ganguli, Sj. Bepin Behari
Gayen, Sj. Arabinda
Golam Hamidur Rahman, Janab
Gupta, Sj. J. C.
Haldar, Sj. Kuber Chand

Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Saiyid
Khuda Bukhsh, Janab Md.
Mahammad Kased Ali, Janab
Mahammad Sayeed Mia, Janab
Maiti, The Hon'bie Nikunja Behari
Majhi, Sj. Nishapati
Mai, Sj. Sawar Chandra
Mailiok, Sj. Ashutoeh
Mandal, Sj. Bankubehari
Mandal, Sj. Bankubehari
Mandal, Sj. Umesh Chandra
Misra, Sj. Sowrindra Moham
Mohammad Hossain, Dr.
Mudassir Hossain, Janab
Murarka, Sj. Basantiai
Naskar, Sj. Ardhendu Sekhar.
Naskar, The Hon'bie Hem Chandra

Panja, The Hon'ble Jadabendra Nath Pentony, Mr. L. R. Pramanik, Sj. Rajani Kanta Rafiuddin Ahmed, The Hon'ble Dr. Roy, The Hon'ble Dr. Bidhan Chandra Roy Sarkar, Sj. Birendra Math. Roy Singh Sarker, Sj. Satish Chandra Sen, The Hon'ble Pratulia Chandra Shamaul Huq, Janeb Zamen, Janab A. M. A.

#### 410 ES-19.

Bandyepadhyaya, Sj. Pramatha Nath. Banerjee, Sj. Sibnath Banerji, Dr. Suresh Chandra Basu, Sj. Hemanta Kumar. Shandari, Sj. Charu Chandra. Chatterjee, Sj. Haripada Cheudhury, Sj. Assada Presad De, Sj. Kanal Lai. Ghose, Sj. Bimal Comar Gheth, Dr. P. C

The Ayes being 44 and the Noes 10, the motion was carried.

# Adjournment.

The House was then adjourned at 6-57 p.m. till 3-30 p.m. on Friday, the 2nd November, 1951, at the Assembly House, Calcutta.

# Proceedings of the West Bengal Legislative Assembly assembled under the provisions of the Constitution of India.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 2nd November, 1951, at 3-30 p.m.

#### Present:

Mr. Speaker (the Hon'ble Iswar Das Jalan) in the Chair, 9 Hon'ble Ministers and 57 members.

#### Non-official Members' Resolutions.

- 8j. CHARU CHANDRA BHANDARI: Sir, I beg to move that this Assembly is of opinion that in view of the acute scarcity and abnormally high price of rice prevailing in most mofussil areas in this State, the Government should immediately take steps to introduce full-scale foodgrain rationing for all classes of people irrespective of the category of ration cards held by them in those areas where the price of rice is now below Rs. 25 per maund.
- 8j. BIMAL COMAR CHOSE: Mr. Speaker, Sir, may I suggest one thing. As the resolution deals with the food problem, I should have thought it would have been better if the Food Minister had made a statement at first and then we started the debate because that would be, in my opinion, more fruitful as otherwise we shall be saying things that we want to say and the Food Minister will reply to the facts later on so that the discussion may be a little bit unreal. I do not know what the Food Minister—
- Mr. SPEAKER: I do not know whether the Government want to make a statement or not. If they do not make any statement, I can't help. The resolution is there and it has been moved. You have mentioned that matter, but they do not say that they want to make a statement on this.
- Sj. CHARU CHANDRA BHANDARI: बाननीय न्लीकांत नरशानत, जानि এই द প্ৰভাব করেছি এই প্ৰভাবের বৰ্ষাৰ্থ হচেছ এই বে, পশ্চিম বলের মকংখনের প্রায় অধিকাংশ ভানে খাদ্যের একটা খনটন চলছে, এবং খতান্ত খন্বাভাবিক হারে দান বেন্তে গিরেছে, এই জনোই সরকাবের কর্ত্তব্য কার কোন শ্রেণীর Ration Card আছে ইত্যাদি নিবিচারে সমস্ত লোকের জন্য অবিলয়ে full scale ration প্ৰত্ন করা হউক। যে সমস্ত স্থানে চালের দাব ২৫ টাকার নীচে নর সেই সমস্ত স্থানে full scale ration প্ৰত্ন করা হউক। বাননীয় শ্লীকার মহোদর অবগত আছেন যে, পশ্চিম ৰঙ্গে অধিকাংশ স্থানে এই বংগর চালের দাম কোন স্থানে ৪০ টাকা, কোন স্থানে ৫০ টাকা এই রক্ষ কোরে ৮০ টাকা পর্যান্ত চলছে। যেমন ২৪ পরগণার স্থল্পরবন বন্যা পাবিত অঞ্চলে, ৰসিরহাট অঞ্চলে, জলপাইগুভি, কচবিহার পুতৃতি স্থানে অত্যন্ত অস্বাভাবিক হারে দাম বেড়েছে, এবং অনেক স্থান থেকে অনশন ও অর্থাশনে মৃত্যুর খবর এসেছে। অবশ্য সরকার সে সমস্ত সংবাদ অস্বীকার করছেন। কিছু আমাদের নিজেদের অনেক জিনিঘ জানা আছে। অনশন অৰ্থাশনজ্বনিত অস্থাৰে বহু লোকের মৃত্যু হয়েছে এই রকম সংবাদ বহু স্থান থেকে আসছে। কিন্তু সেদিন আমাদের মাননীয় শুখ্যময়ী – এখন তিনি এখানে উপস্থিত নাই – ৰলেছেন যে, অনশনজনিত মত্য কি তা তিনি কখনও শোনেননি। তিনি ভারতবর্ষের একজন শেষ্ট ডাঙ্কার, তৎসম্বেও তিনি এইকথা শোনেন নাই—ভাঁদের pathologyতে একথা লেখা নাই। কিন্তু fact is fact; সত্য সত্যই। এই জিনিঘটা সাধারণ জ্ঞান থেকে জানা উচিং ছিল। এবং এই জিনিঘটা অখীকার করার কোন কারণও দেখিনা। এটা পত্যেকে জানেন বে, জনশনজনিত জুত্যুৰ একৰাত্ৰ প্ৰৰাণ হতে পাৰে বদি বৈজ্ঞানিকৰা দেখাতে পাৰেন stomachএ বহুদিন ৰাদ্য: পডেনি। কিছ এটা ঠিক যে, বহুস্থলে অনশনে অর্ছাশনে ব্যাধির উত্তব হর এবং ব্যাধিতে ভুগতে ভুগতে মারঃ বার। প্রানের আশুনে আমরা দেখেছি বহু লোকের মৃত্যুর কারণ একমাত্র অনশন বা অধীপন বা যা-তা খাওয়ার

पञ्चने-रिवायका नुप्राप्टे लिव क्या कह त्यंत्व हिन केशिएछ हो। जबकान वरन बेरिकन त्व, छीता नानावारन modified rationing श्वर्टन केलिएक। शास्त्रक जारतका गमय गमय कामकर्म थारकता, उथन २० ठीका नाम कि इल ? चार्श चामना रायारम बूरना करून घकल प्रायंशि व वय्नन रायारन रा खिनिय नारे। वरेनकम रायारन অভাৰ নেখানে যদি অনাহারে লোকের মত্য হয় তবে লোকে কি বলবে ? আমাদের মাননীয় মুখ্যমন্ত্রী বিষ্ণ ডাঙ্চার, किंद्ध जामताथ नामानात्रकम Homeopathy जीतनावना किंद्र: जर्शान्त जननतन त्य मठा दस विवे जामता বুৰতে পারি। আমার মনে হয় সরকারের একটা enquiry committee নিয়োগ করে ও investigation ক্রে অনশন ও অর্ধাশনজ্বনিত মৃত্যুর এই সমস্ত সংবাদ সঠিক কিনা দেখা উচিৎ। সরকার হয়তো বলবেন তাঁরা माग्रिक शानन करत्रकान-->o होका मात्र यक्षारन हरग्रक श्रुक्तारन modified rationing मिरग्र कान चारन A Class কার্ড দিয়ে, আবার কোন জারগায় A and B মিলিডভাবে দিয়ে তাঁরা তাঁদের কর্তব্যপালন করেছেন। কলিকাতা ও তার শিল্পাঞ্চলে এত বেশী দাম দিয়ে চাল কিনতে হবে এটা কেউ কখনও কলপনা করতে পারেনি। Statutory কোন প্রকার obligation না থাকলেও যেখানে নাকি ধান চালের এই অবস্থা সেখানে সরকারের প্রাথমিক কর্ম্ভব্য হচেছ মফ:ম্বলের জনগণের জীবনরকা করা। তাঁরা যদি মনে কোরে থাকেন ৩০।৩৫ টাকা পাম উঠলে modified rationing করবেন তাহলে অত্যন্ত অবিচার করা হবে। কারণ, বে কোন স্থানের লোকেরই ১৭।১৮।২০ টাকার বেশী দিয়ে ক্রয় করার ক্ষমতা নাই। কলকাতার জ্বনগনেরই যথক এই অবস্থা তথন প্রামাঞ্চলের লোকের কি অবস্থা, কি হতে পারে সেটা সহজ্ঞেই ব্যুতে পারা যায়। অতএব আমার পুস্তাব হচেছ राबीत २৫ ठीकांत्र कम नग्न ताबीत ज्ञान काल निर्वि (गरंप गमछ लास्क्र छना full scale rationing পেওর। উচিৎ। সরকার হয়ত বলবেন যে এমন হতে পারে অনেকের ঘরেই ধান চাল মঞ্ত আছে। আমার ৰারণা সরকারের সে বিষয়ে কোন হিসাব নাই। আমার যেট্কু জানা আছে যাদের নাকি ৫০ বিহা জনি আছে তাদের অনেকের ঘরেই ধান নাই এবং তাদের অনেকেরই কিনে থেতে হচেছ। স্থতরাং আমার বলবার কথা হচেছ कांत्र चरत बान चार्र्स, कांत्र चरत ठाल चार्रह चांत्र कांत्र चरत नार्डे हेल्यामि विरवहना ना कांर्य लीता मकरलत छना full scale rationing পুৰৰ্ত্তন করুন। যার যরে ধান চাল আছে সে কথনও কিনে খাবে না। কিন্তু **সরকার যে ব্যবস্থার কথা বলছেন তাতে অবস্থার কোন প্রতিকার হতে পারে না।** 

আরেকটা কথা হচেছ এই আনাদের খাদ্যমন্ত্রী মহাশ্য বলেছেন স্থাপরবনের ভায়মণ্ডহারবার মহকুমা অঞ্চলে modified rationing করা হয়, কিন্তু স্বেখানে যে আটা দেওয়া হয়েছিল লোকে তা কেনেনি। লোকে কিনবে না কেন? নিশ্চর কিনবে যদি সেটা মানুমের খাওয়ার উপযুক্ত হয়। কিন্তু আপনাদের অবগতির জন্য আমি বলছিয়ে আটার জন্য ॥/১০ আনা লান নিদিষ্ট হয়েছে সে আটার মধ্যে বেশার ভাগই থাকে ভূমি ও অন্যান্য foreign জিনিম বেশান খাকে, ভাল আটা লোকে পায় না। স্থতরাং সেই আটাব দাম শেম পর্যন্ত ২০০৩ ৫ টাকা পড়ে যায়। হিতীয় কথা হচেছ সরকার এবন যে ব্যবস্থার কথা বলেলন সেটা হচেছ short term remedy কিন্তু আমাদের long term remedy অর্থাৎ যেটা স্থামী প্রতিকারের উপায় এই অবস্থাম কি হতে পারে সেটা বিবেচনা কোরে দেখতে হবে। আনাদের চারদিকে এই যে অভাব অনটন চল্ছে, চালের দাম অস্বাভাবিক হারে বেড়ে যাচেছ, এর কারণ কিং সভিচ্নারের কথা, পুক্ত পক্ষে ধান চাল নেই কি না এটা আমাদের বিবেচনা কোরে দেখতে হবে। ক্ষেম্বেক মাস পূর্বে খাল্যমন্ত্রী মহোদ্য একটা বিবৃতি দিয়ে বলেছিলেন যে পশ্চিমবক্ষে বেচাল উৎপন্য হয় ভার পরিমাণ হচেছ ৫৮ লক্ষ টন।

্ কমেক মাস পূর্বে খাদ্যমন্ত্রী একটা বিবৃতি দিয়েছিলেন, তাতে আমরা দেখতে পাচিছ পশ্চিমবঙ্গে যে চাউল উৎপন্ন হয় সে হচেছ ৫৮ লক্ষ টন। এই ৫৮ লক্ষ টনকে যদি মণে পরিণত করা যায় তাহলে সেটা দাড়ায় ১৫ কোটি ৬৬ লক্ষ মণ চাল—— (Hon'ble Prafulla Chandra Sinn: ৫৮ লক্ষ টন্ ধান, ওটা চাল নয়।) ধানকে যদি আপনারা চাউলে পরিণত করেন, তাহলেও অনেকটা তাই হয়। বিদেশ ধেকেও আপনারা বহু খাদ্যশস্য আমদানী করছেন।

আড়াই কোর্ট লোককে আপনার। ration দিচেছন এবং তাদের মাধা পিছু গড়ে যদি  $0\frac{3}{8}$  মধ করে বৎসরে দেওনা হয়, তাহলে দেখা যায় এই আড়াই কোটা লোকের পক্ষে এই খাদ্য যথেই। তার উপর লক্ষ লক্ষ, কোটা কোটা মধান বিদেশ থেকে আমদানী হচেছ, তা সম্বেও দেশে কেন বে খাদ্যের অন্টন হচেছ, তা আরি বুখতে পার্ছি না।

আমার বিশাস এই যে খালোর অন্টন, এটা কৃত্তিন, এবং বর্জনান control পুথাই এর মুল কারণ। আনিরা দেখেছি বসিরহাটের মত জামগার, করেক হাজার বিবা জমি গত বৎসর বন্যার পুাবিত ছওর। সম্বেও বসিরহাট মহকুমা খাদ্যশস্য উৎপাদনে স্বয়ংসম্পূর্ব।

ভাষনগুহারবার, কুচবিহারও বাদ্যে স্বন্ধসম্পূর্ণ ছিল, কিছ এই সমন্ত জানগান ৪০ টাকা থেকে ৮০ টাকা পর্যন্ত মণ পুতি চালের দর উঠেছে কেন? এই জনাই যে, এই সমন্ত জানগান বর্ত্তমানে control পুথা চালু থাকার দরুল। Cordon area এবং procurement policy আছে বলেই, এরহারা সরকার যা কিছু উহ্ থান, চাল তাদের কাছ থেকে procurement এর জন্য কেড়ে নিয়েছেন। সরকার যভই cordon area বা control এর নিয়ম কঠোর থেকে কঠোরতম করছেন, লোকে ততই তীত হচেছন। লোকে ভরত্রন্ত ছারে গিরে গোপনে ভাদের সমন্ত থান চাল বিক্রম করে দেব।

আমরা ভারমগুহারবার ও বিসরহাটে এই জিনিঘ দেখেছি, কিন্তু আমার বিশ্রাস সর্বু এই হচেছ।

সরকার যেভাবে গ্রাম থেকে ধান, চাল সংগ্রহ করে আনছেন, তার জন্য লোকে ভর পেয়ে গিয়ে তালের সমন্ত ধান, চাল অন্যত্র বিক্রয় করে দিচেছ অথবা লুকিয়ে ফেলছে, এবং তার ফলে একটা কৃত্তিম অনটন হ'ছি হচেছ। আজ্ল য়দি দেশে control ব্যবস্থা না থাকত, তাহলে কথনই খাদ্যের অনটন হ'ছ না। সরকার মদি এই controlকে আরও ব্যাপকতর কবেন ভাহলে, খাদ্যের অবস্থা আরও উত্তরতর ধারাপ হতে থাকরে। আজকে কুচবিহারের অবস্থা দেখুন। কুচবিহার ভাবতে অন্তর্ভুক্ত হবার পূর্বে, এবং দেখানে control পুখা আসবার পূর্বে, কোনদিনই কুচবিহারে ধান, চাল খাদ্যের অভাব হয়নি। মেই শেখানে control পুখা আরম্ভ হ'ল, তথনি সেখানে খাদ্যে অনটন আরম্ভ হ'ল। Cordon অঞ্চল স্বৃষ্টি করাতে, সেখানে একটা bottle neck স্বৃষ্টি হয়ে গিয়েছে।

দেশে খাদ্য সংকট যেতাৰে দেখা দিয়েছে তা থেকে রক্ষা পাবার একমাত্র উপায় হচেছ এই control

দেশে যতকণ পর্যান্ত food shortage থাকৰে ততকণ control পুথা চালু রাধা কর্ত্তরা, এই আমার বিশাস ছিল। কিন্তু, গত চার বংসর এই control পুথা চলবার পর, আমার সেই ধারণা দূর হরে গিরেছে। এ দেশে control পুথা চলতে পারে না। এই control ব্যবদ্ধা যদি শেষ না হম, তাহদে দেশের থাদ্য সমস্যা সমাধান কেউ করতে পারবে না। এটা ঠিক কথা যে, যদি গভর্গবেশ্ট বেশী করে সংপ্র্ছ করেন তাহলে সহরাঞ্জলে ও শিল্পাঞ্জলে একটা সমাধান হতে পারে কিন্তু তাতে প্রামাঞ্জলে কথনই সমাধান হবে না। যতকণ পর্যান্ত না এই control পুথাকে দূর করে দেওবা যাম ততকণ পর্যান্ত দেশে থাদ্য সমস্যা সমাধান কিছুতেই হতে পারে না। আমার বিশাস যে থাদ্য উৎপাদন যতকণ পর্যান্ত ঠিকভাবে না হচেছ ততকণ পর্যান্ত কেবলমাত্র distributionকে control করলেই হবে না। রাশিরাতে control পুথা সকল হরেছে কারণ সেধানে উৎপাদন বা production সরকারের হাতে। কিন্তু এখানে তারা যেতাবে control পুথা চালু করেছেন, ভাতে তাঁরা একটা vicious circle স্থিই করেছেন।

তিন বৎসব আগে দেশের যে অবস্থা ছিল, বর্তমানে তার চেয়েও থারাপ হয়েছে। এবং আমার আশক্ষা হয়, যে next yearএ আরো থারাপ হবে। এই জিনিম ঠিক যে, control পুথা যতই কঠিন করবেন তত্ত্বই থান্য সমস্যা জানিল হয়ে "উঠবে। খান্য সমস্যা সমাধান করবার একমাত্র উপায় হচেছ এই control পুথাকে একেবারে উঠিয়ে দেওয়া। সব দৈশের Governmentএর policy হচেছ যে দেশের খান্যালয় কি করে বাড়ান যায়, কিন্তু আমাদের কেন্দ্রীয় Government করছেন কি? তাঁরা এই কথা বলুছেন না, তাঁরা খান্য উৎপাদনে self-sufficiency কিভাবে করছেন দেপুন, তাঁবা খান্যের ভিতর পাট, তুলা ইত্যাদি include করেছেন। তার ফলে লক্ষ লক্ষ বিঘা ধানের জ্বাতে পাট, তুলা, আখু, চিনাবাদামের চামের ব্যবহা করেছেন, তার ফলে খান্যলয় করে যাচেছ। এরহারা খালি স্থবিধা হচেছ বড় বড় শিল্পপতি ও কলকারখানার মানিকদের স্বার্থ রক্ষা করা। এবং আমাদের খান্য শান্যর জন্য বিদেশের উপর নির্ভর করতে হচেছ। সরকারের বর্ত্তমান খাদ্য নীতি চলতে পারে না। সরকার বলছেন যতক্ষণ পর্যান্ত দেশে food shortage থাকবে তডক্ষণ পর্যান্ত control থাকরে, কিন্তু এটা বেন ঠিক একটা পাত্র কুটা করে জল চেনে বলা যে যডক্ষণ পর্যান্ত লামানে এই

পাত্র জালে পূর্ণ হবে ততক্ষণ পর্যন্ত আমাদের কিছুই হবে না। আমি বল্তে চাইবে যতদিন না এই দুর্নীতি-পূর্ণ আকেলো control না দুর করা যাবে ততদিন খাদ্য সমন্যা সমাধান হতে পারে না। এই বলে আমি আমার পুতাব Housed পেশ করছি।

8j. HARIPADA CHATTERJEE: মাননীয় সভাপাল মহাশয়, মহীরা একট যদি অবহিত হরে দেশের তথ্য নিজের। না এলখেন, তা'হলে আমর। ১৯৪৩ সালে যে সংকটে পড়েছিলাম, সেই সংকটের মধ্যে আবার পড়ব সে বিষয় কোন সন্দেহ নাই। ১৯৪২ সালে य चावराध्या हिन. धर्मन तारे बक्म व्यवहा रायहा। धाँबा त्रामीनः भूषा क्लिकाला गराव हान करवाहन। এবং নগর বসাচেছন নিজেরা, যেমন বাজহার। নগর তাহেরপরের মাঠে বসিয়েছেন। ক্রিন্ত সেখানে এঁরা রেশনিং পথা চাল করবার পয়োজন বোধ করছেন না। শেখানে ৩০ হাজার বাস্তহারাকে ৩০-৪০ টাক। দরে চাল কিনে খেতে হচেছ, তারা কি অবস্থায় আছে একবার মাননীয় মন্ত্রীমহাশয়রা গিয়ে নিচ্ছের চক্ষে দেখে আম্রন। সম্পতি ক্ষেকদিন আগে আমি সেখানে গিয়াছিলাম এবং সেখানে হবে বাস্তহারাদের দূরবস্থা দেখে যে অভিজ্ঞতা লাভ করেছি, তা'বেকে বলতে পারি ১৯৪৩ সালে যেমন কঞ্চালসার নরনারী রান্তাঘাটে দেখা গিয়েছিল তেমনি এই বাস্তহারা নগরেরও ও সেই অবস্থা হয়েছে। আপনারা ওখানে নগর বসিয়েছেন, কিন্তু খাদ্যের ব্যাপারে যে রক্ষ অনিয়মের ব্যবস্থা চলেছে तारे तकम खन्ताना काराबत नार्भाति खनावता शरह। य खनित क्यांन माम तारे, तारे खनि जिनम টাক। করে বিহা দরে বিক্রম করবার ব্যবস্থা করেছেন। যার একটাক। করে খাজনা হওমা উচিত, সেখানে ১৬ होक। विषा প্রতি করে श्राक्षन। इरस्रष्ट् । এই সমস্ত বান্ধহারাদের, সর্থু হারাদের যেখানে ৪০ টাক। দরে চাল কিনে (बंदिक इरुक् त्रशासन श्रुवा जिल्लीन: us वानका नारे। Modified rationing us या वानका स्टबर्फ তাতে সপ্তাহে মাধাপিছ এক পোৱা করে চাল ও পাঁচ পোৱা করে আটা দেবার ব্যবস্থা হয়েছে। তাও, শেখানে अमन वह পরিবার রয়েছে याँ রা rationing card পর্যান্ত পান নি। आমি জিল্পাসা করেছিলান তাঁরা rationing card কেন পাননি, তার উন্ধরে তাঁরা বলেন forms ছাপান নেই। কিন্ত গত August মাসে প্রায় ৩৫০শ পরিবার, তাঁরা নিজেরাই forms ছাপিরে, সেই formsএ লিখে, rationing cardsএর জন্য affidavit করে দিয়ে এসেছেন, কিন্তু আজু পর্যান্ত তাঁরা কোন rationing card পেলেন না। তারা আজু ৪০ টাকা, ৪৫ টাকা করে চাল কিনে খেতে বাধ্য হচেছ। প্রার সাড়ে তিনলো পরিবার Cooper Camp খেকে চলে এসেছেন, তার কারণ তাদের প্রত্যেকেই এই অসীম পুরবস্থার মধ্যে পড়েছেন। ১৯৪৩ সালের দুভিক্ষের সময় ৰেষন ৰহ লোক জনাহারে, না খেতে পেরে, রাস্তাম প'তে ম'রে শেষ হয়ে গিয়েছিল, কারও চোক্ষে পডেনি, এদেরও ঠিক সেই রক্ষ অবস্থা হরেছে।

মন্ত্ৰীমহান্যরা এবানে বলে আছেন আর ওাঁদের অফিনাররা ববর দিচেছ্ন সব ঠিক আছে, ওাঁরা নিজেরা বিরে দেবছেন না বে শেবানকার লোকদের কি অবস্থা। একটা ঘটনার কথা বলি। এক ভ্রলোক ঐ Cooper Camp এর পাশে বাকতেন। তিনি না বেতে পেয়ে ওাঁর করেকটি ছেলে ও মেয়েকে অন্য লোকের কাছে বিলিয়ে দেন। এই ববর সংবাদপত্রে পুকাশ হলে পর, সেবানে একটা সোরগোল প'ছে বার, ও S. D. O., Magistrate এবং অন্যান্য অফিসারগণ সকলে মিলে সেবানে যাবার দৌড়াদৌড়ি আরম্ভ হয়, কলে ওাঁদের T. A.তে প্রায় আড়াইশো টাকা বরচ হয়ে যায়। ওাঁরা সেবানে বিলি এল তিনাককে force করেন বলতে এই কথা বে "আমি না বেতে পেয়ে, আমার ছেলে-মেয়েদের বিলি করি নি"। তাঁরা নিজেদের যাতায়াতের জন্য এত টাকা বরচ করনেন আর সেই ভ্রলোককে পঞ্চশ টাকা দিয়েও সাহায্য করলেন না, এইত অবস্থা। এবন অস্ততে তারা ওাদের rationing cardsগুলি যাতে পায় তার ব্যবস্থা করলেন না, এইত অবস্থা। এবন অস্ততে তারা ওাঁদের rationing cardsগুলি যাতে পায় তার ব্যবস্থা করলেন না, এইত অবস্থা। এবন অস্ততে তারা উটিত। তারপর গাডর্পমেণ্ট এই সমস্ত বাস্ত্রহারাদের বাসন্থানের জন্য সাড্রেরানো টাকা দিচেছ্ন। কিছু contractorsরা কিভাবে তাদের ভুল বুঝিয়ে তাদের কাছ থেকে টাকা প্রস্যা আদায় করছেন তা নত্রীমহাশ্ররা একটু অনুস্থান করে দেখুন। তাদের যে টাকা দেবার কথা, সেটা পুক্ত কাগজ কনমেই আছে, তারা কিছুই পাচেছ্ না।

(At this stage Blue light was lit.)

ন্যার, আরম্ম আর বেশী কিছ্ বনবার উপায় নৈই। কাজে কাজেই আমি শীশ্রই শেষ করে দিছিছ। বাছহারাক্তর বব্যে আমি জাতিতেল করতে চাই না। আমি আবার বলছি নেখানে যদি যান তাহলে দেখবেন নেখানে ক্জাল্যার নরনারী ष्ट्रांका चात्र किए नारे। **এ**रे त्रकम १ तक वाखराता जातात निरक्षत क्षजारकर तरसरह। जात्र रव करसक नक्ष जरवाज्य ৰাশ্বহার। রয়েছে তাদের যে কি অবস্থা হয়েছে তা বলা বার না। তার। ত এঁদের মত সভাসনিতিও করতে পারে বা। **আৰি** নিজের চক্ষে দেখেছি তারা গাছতলায় পড়ে আছে। তাদের জমি পতিত রয়েছে দেগুলি কে**ট চা**ম করছে পারে না। কারণ তাদের চাম করতে দের না। তাদের গরু অন্যে নিরে তাদেরই জবি চাম করছে, অর্থচ তাদের চাম করতে দেবেনা। তাদের দুধের গরু অন্যে নিয়ে দুধ খাচেছ আর তাদের নিজেদের ছেলেপিলে এককোঁটা দ্ব বেতে পাচেছ না। বর্ত্তবানে দেভ লক্ষ্ণ টাকা reliefএর বন্দোবন্ত হরেছে। আবার একটা হিসাব রুরেছে এখানে, তাতে দেখছি মাধাপিছ একটাকা করেও তারা reliefএর দরুণ পায় না। কি করে **ডারা** বাঁচবে ? আমি গ্রামের ভিতর পায়ে হেঁটে দেখেছি ভাদেব দুর্দশা অবর্ণনীয়। ভার ফলে আল সমস্ত দেশব্যাপী বিপাৰের হাওয়া। এই দৰ ৰান্তহারারা আজ এক জাতি, তাবা ঝতে পেরেছে তাদের শত্রু পুঁজিপতির শল, এবং এই বর্ত্তমান সরকার সেই পঁজিপতিদের হার। চালিত, তারা দেশের এই বিপুব রোধ করতে পারবে না। প্রাবে পাৰে হিন্দ ও মগলমান নৱনারী একহায়ে এই বিপুৰ জানবে। (The Honble Bhupati Majumdab: ৰল্ন, বলন আব্ৰো বল্ন,) শুনতে ভাল লাগছে না ৰুঝি ? এ ক্ষচ সভা, এই রকম ব্যাপারই হচেছ। আব কেনই বা বিপুৰ হবে না? তাদের যা হক প্রাপ্য, তা তারা আব্দুপাচেছ না। Procurement Department গিয়ে তাদের ধানগুলি কেড়ে নিয়েছে জার তাদের সেই ধানের যা নাকি প্রাপ্য দাম তা পর্বান্ত ভাদের দিচেছ না<sup>®</sup> সেই দামের জন্য ভারা এখানে যাচেছ, সেখানে যাচেছ, কেরাণীর কাছে যাচেছ। কেরাণী বলে উঠছে, স্থ আমাৰ টাকা। যা: টাকা দেবোনা। প্রায় তিন লক্ষ টাকা যে তাদের প্রাপ্য কেন তা তাদের एएट ना १ बाखशत्रारमत काकुरभटक एव चामाय कता शरपाइ २ नक १८ शांकात होका,--यहे। जाएनत निरम्पापत পাপ্য দেটাও তাদের দেবেনা, তারপর সরকারও তাদের সাহায্য করবেন না, তারা বাঁচবে কি করে? সেইজন্য আমি বলছি রেশন প্রধা সব জামগাম চালু করা উচিত। সরকার আব্দ তাদের life and property security দিতে পারছেন না,--কি হিন্দু কি মুগ্রমান গকল বাস্তহারারই ঐ একই দশা। তাদের এমন खबन्दा त्य शास्त्र जिलत नित्य हाँहि। हतनना, दिंटि शास्त्र या होत्व शास्त्र, गालाशान बहानम, छन्न, छन्तन আশ্চর্য্য হবেন, আমি নিজে গ্রামের ভিতৰ হাটতে গিয়ে দেখেছি বড় বড় বেয়েদেরও ফাপড় নাই, ছেলেগুলি স্ব छेलक, एहांहे एक्टल नय, वर्ड़ वर्ड। Controlds माकारन कांगड़ आरह, किंड जारमंत्र ता कांगड़ स्कावात পরসা নাই। চালে খড় নাই, খড় কেনবার পরসাও নাই। থালা, ঘট, বাটি যা ছিল সব বিক্রী করে বেষেছে। এখন তাদের আর কিছুই অবশিষ্ট নাই। স্মৃতরাং এখন সর্বপুকারে তাদের ধাবার পরবার ব্যবস্থা সুরকারেরই করা কর্ত্তব্য। সাড়ে সাত টাকা মাত্র দিয়ে যখন তাদের খাবার ধান কেড়ে নিয়ে এসেছেন তখন তাদের অভাবের সময় কেন তাদের খেতে দেবেন না, কলকাতার লোক যদি ১৮ টাকার একমণ চাল পাম তবে তার। কেন পাবে না। বিশেষতঃ তাদের সব কিছু যখন হরণ করা হয়েছে, তখন তারা বিনামূল্যেই বা কেন রেশন পাবে না?

আল এই পরিষদের শেষ দিনে আনি বনছি—যদি তাদের জন্য কিছুই না করেন, ইতিহাস আপনাদের ক্ষম করবে না। মানুষ সেবানে কি জবস্বায় আছে— মহীরা সেবানে দু'দিন করে গিয়ে বাস করে দেখে আহ্ন। তাঁরী কেউ বলছেন—চালের অভাব এটা সেটা বেয়ে পুরণ করতে, কেউবা দিচেছন কাপড়ের অভাবে half pant পরার উপদেশ; শুধু রৌধিক উপদেশ না দিয়া একবার তাদের মধ্যে গিয়ে কয়েকদিন বাস করে দেধুন, সেবাদে থাকতে গেলে কোন শাহী বা পুহরীর দরকার হবে না। (Laughter.)

8j. DEBENDRA NATH SEN: Mr. Speaker, Sir, a Government is to be judged by the degree of its ability to give the people food and that food at a reasonable price. Has the Government succeeded in doing that? Has it been able to give us more food and that at a lesser price than what it was in 1940? If we look into the tendency of the price-level we find that since 1940 prices of rice have been rising and rising very abruptly. In some districts there has been a rise of 90 per cent., if not more. In Howrah, Bankura, West Dinajpur and Jalpaiguri the price of rice is 80 per cent. higher and ordinary people are not getting any rice, and no one can say whether 1943 will be repeated. But every one of us has been beholding that streams of hungry people are coming to Calcutta, men, women, young

and old, boys and children. If you look at the women it is difficult to call them women. They do not look like women. They are moving about without clothes and without food just as they did in 1943.

Sir, we have been administering this province for more than four years and this Ministry has been there for the last three and a half years. Has the situation changed from 1948? Has it become better? Ask the common man—is he getting more food and is he getting that food at a cheaper rate? If that is not a fact, then what is that due to? Why are the prices so high? I feel reluctant to reiterate the point that I have made on several occasions in the past. The Hon'ble Minister in charge has told us that production in 1950-51 is 6.2 per cent. higher than in 1949-50. He said that on the 20th September in reply to a question put by Mr. Sris Chandra Nandy. If that be so, if production and supply has increased then flow is it that the prices are going up and he will be telling us, we have been spending much on new road construction: he will be telling us, we have spent so much on distribution of fertilizers, on tank excavation and similar other things. If all that be true, then how is it that there is scarcity of food in 1951 and there is a higher price today than in 1950 or 1949 or 1940?

Sir, there is only one explanation to that and that is that there is no shortage. We do not believe in shortage, neither could he prove it from the figures he has supplied. The reason for that higher price and shortage of food lies in corruption, in nepotism and diversion of State money for political purposes and this is not a peculiar characteristic of the Food Department only. It is the characteristic of all the departments of the Government. I was going through all the Acts and the Bills that have been passed during the last three and a half years. Sir, I find that we have and this Government have passed no less than 72 Acts. I have been thinking which of them has gone to the benefit of the people during these three or four years. One of them could have, that is, the Anti-Blackmarketing Act, but we do not find any operation of the Act. We do not see anybody being arrested; we do not see anybody being punished; so that Act lies dead. Then, which other Act is there which has gone to the benefit of the people? I do not find any. I want to know from one of the Ministers in replying to the debate to say, "here is the Act we have passed during these three or four years which has gone to the benefit of the people. which has given them larger rights and privileges, which has given them more food, more cloth and more shelter". This corruption, as I was saying, is to be found in all the departments. Yesterday, also, Sir, we had a document which if one scans will prove that corruption is not only in the Food Department, it is in every other department. That document, Sir, is a colossal hoax, it is whitewashing of the misdeeds of two culprits. One culprit is the Birlas, another culprit is this Government. The Birlas are guilty of evasion of tax to the tune of one crore of rupees; this Government is guilty of conniving at that evasion, and not only that, of victimising an honest officer who wanted to check that evasion of the taxes. Sir, as I was saying, this document is a colossal hoax and it could not but be so. If we look at the composition of this Tribunal we find the Chairman was Mr. Banerjee. He is a retiring Judge of the High Court; he is to become the Chancellor on a pay of Rs. 3,000 and he has been placed there as Chairman. Can he write something which offends the Chief Minister and thus lose his new job?

The Hen'ble Rai HARENDRA NATH CHAUDHURI: Mr. Justice Banerjee is not the Chancellor. He has been made the Vice-Chancellor and he is working without pay and he is a Judge of the High Court yet.

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8j. DEBENDRA NATH SEN: He will get his pay. Sir, I am glad that the Minister has stood up to correct me. He has not yet got that pay of Rs. 3,000. The arrangement is that he will be getting that pay the moment he retires from the High Court. That retirement has not yet been confirmed. So, it is only a matter of one or two months.

The Hon'ble Rai HARENDRA NATH CHAUDHURI: It is again a reflection on a Judge of the High Court. There is a provision in the Calcutta University Act that the permanent Vice-Chancellor will get a salary of Rs. 3,500 but, Sir, he has been made interim Vice-Chancellor under the special provision which provides that the first Vice-Chancellor should be only for two years.

- SJ. DEBENDRA NATH SEN: In any case I think the Government could have selected another person from the High Court, another person who is not—
- Mr. SPEAKER: Mr. Sen, after all we are discussing the food matter. Let us keep ourselves away from such controversial matters.
- 8j. DEBENDRA NATH SEN: I am discussing the over-all picture of shortage of food. I was saying that there is no shortage of food supply in the province. If there is any scarcity it is due to corruption and I am trying to prove that that corruption is embedded in every department and the latest instance is the document that has been placed before us yesterday.
- Mr. SPEAKER: Please confine yourself to the subject matter of discussion.
- 8j. DEBENDRA NATH SEN: I want to take this opportunity. I want to take up other departments because we cannot purify the Food Department if there is corruption in other departments. It must be the cleansing of Government.
- Mr. SPEAKER: The proper occasion for that will be at the time of budget discussion. Today we are discussing a particular matter on foodgrains. So please confine yourself to the subject matter as far as possible.
- Sj. DEBENDRA NATH SEN: We cannot get another budget session with this Assembly.
- Mr. SPEAKER: You will have it in February. I do not rule out what you want to say.
- 8j. DEBENDRA NATH SEN: As I was speaking of the composition, there is one member, Mr. Nandi. He was involved in—
- Mr. SPEAKER: Mr. Sen, will you please excuse me. The question before the House is the food question. You cannot go in detail into the constitution of another body. That will not be proper.
- 8j. DEBENDRA NATH SEN: We were told yesterday that we would be given an opportunity of discussing this document and the relevancy comes in this way. I want to prove that this corruption is rampant.
- Mr. SPEAKER: That is another thing. You are bringing in corruption and then you are going to discuss other extraneous matters. If you say something of corruption in the Food Department, that will be relevant, but you cannot go into the entire range of administration of another department and then go into the question regarding food shortage. What is the resolution? The resolution says "-rationing for all classes of people irrespective of the category of ration cards held by them in those areas where the price of rice is not below Rs. 25 per maund." He wants that ration cards should be given to these people.

- 8j. DEBENDRA NATH SEN: I understand, Sir, that this Ministry is something like a managing agency and we cannot speak against one department without speaking against another department.
  - 81. BIMAL COMAR CHOSE: It is all food for us. Let him say.
- 8j. DEBENDRA NATH SEN: If I get an opportunity I shall take that opportunity, but I feel strongly that there is no scarcity and the problems that have arisen have arisen because of corruption in the Food Department. It is a complete failure. We purchase at a price; we sell at a higher price, and the difference is the highest in West Bengal. It is not so much in Bombay or in Madras or in United Provinces or in Bihar. It is the highest here and when it is the highest and when we purchase 50 crores worth of rice and sell 50 crores worth of rice we do not make any profit. Over and above we get 4 crores of rupees from the exchequer. All these things have combined to create this food situation which is artificial and unless the Food Department is burnt and demolished altogether we cannot have, solution of the food problem in West Bengal.
- 8j. J. C. CUPTA: Mr. Speaker, Sir, the resolution that has been moved by my honourable friend Sri Charu Chandra Bhandari is no doubt a laudable one if it can be achieved. But the question is, is that a practicable proposition? We shall expect that the Hon'ble Food Minister will take this House into his full confidence and explain the position regarding the feasibility or otherwise of giving effect to such a resolution.

Sir, it has been said that there is no scarcity and control is unnecessary. It has been said that control is creating all the difficulties. I wish I could agree with this proposition.

But I am afraid that we cannot shut our eyes to the fact that there is an actual shortage of rice production, overall shortage in the world. Next we have got to see what is the actual production of food in this State and from the facts and figures that have been available to us we know the most distressing fact that there is an acute shortage of food. Though we know that the control system has brought in all sorts of corruption, though we know Mahatma Gandhi was anxious that the control system should go as quickly as possible in order to get rid of the corruption, yet until we are sure that there is a surplus of foodstuff, I am afraid we cannot think of lifting the control on foodstaff. We should start by lifting the control of other commodities and even if such an experiment may involve us in some difficulties, it will not cost human life, but with regard to the food control we cannot possibly think of lifting the control of food until we are sure that the supply of food is sufficient, that the rich people who can afford to buy as they used to buy before a year's supply ahead will not be the only persons who will get the benefit of the lifting of control, but the poorer people who have to buy their daily necessities will also get that benefit many of whom cannot even buy the food necessary, the rice necessary to last for a week. We have got to consider whether under those circumstances we can think of lifting the control of food. I hope the Food Minister will give us the figures of the overall position of food supply in the State. Not only that, we should also like him to tell us how much food is available from outside for this Province. There has been in the past a complaint that though the Food Ministry has been pressing for supply of rice, they have been told that it is not available. I want the Food Minister to let us know whether all available sources of supply have been explored. I know he will tell me that it is primarily the duty of the Centre to do so, but that brings me to the question about the procurement

in this Province. I am afraid, procurement has not been complete and successful. I am afraid, much of the dissatisfaction of the people regarding the prices of paddy, much of it is due to the fact that they see that others who sell to the blackmarketers and profiteers they get much more than the price that is fixed, and that is one of the main reasons of complaint. You need not wonder if a grower of rice sees that another person who also has grown rice in the same way as he has done is getting, say Rs. 10, while he sells rice outside the Government agency, but those who are compelled to sell rice to Government are getting Rs. 7-8 or Rs. 8-8, he will certainly be dissatisfied. Therefore, some means will have to be thought of to make a complete procurement, to get all the available surplus for the purpose of distribution to the areas where food is most needed, even in the areas where the procurement is made and where people could have the rice necessary for their consumption. I have often thought that unless we can improve the procurement system, unless we can prevent corruption or favouritism—that also is to be found in the procurement affairs—we shall not be able to improve the food situation, nor shall we be able to get rid of the natural dissatisfaction that the growers feel on account of the comparatively low price that they get while those who sell rice to the blackmarketers get better price. We should like the Hon'ble Food Minister to let us know what he thinks to be the soundest policy for procurement; and I have always thought that without public co-operation however much he may spend, however exhorbitant expenses may mount, this procurement will not be successful.

Sir, I have a suggestion for the consideration of the Hon'ble Minister of Food. Instead of going on certain surmise, he ought to proceed on certain basis regarding the directives of procurement. Sir, the Food Minister has got an elaborate staff. There is a union assistant in every union of the State. It should be the duty of the union assistant to first of all report when the cultivation is in progress, how much field has been cultivated and how much is lying vacant, and then indicate how much rice is being grown and how much other crops, and as the crop grows there should be a report, and then when the harvesting comes, there should be a report. An analysis of the reports received from the different centres should be made and then on the basis of that the procurement officer should find out what should be the directives, what is the quantity available. Instead of that if the procurement officers are asked to procure from some area some quantity, the complaint that has been mentioned, the grievance that has been mentioned in this House by Sj. Haripada Chatterjee that sometimes even the seeds are also seized—these questions will arise. So my suggestion to the Hon'ble Food Minister is that he should make the system of procurement more scientific, much more responsive to the actual state of affairs based upon the reports. It is easy; he need not go into extra expenses for that. Let him ask all the agricultural officers to get always reports from him and on the basis of those let the procurement officers start their work and let it also be in co-operation with the focal agricultural officers.

If in that way procurment will be made successful we shall find that the selling of paddy and rice in the black-market will cease and many of the grievances of the people will also be obviated. So we want to know what is really the policy and the actual method that the Hon'ble Food Minister is going to adopt in the matter of procurement. If there is satisfactory procurement, there is no difficulty with regard to distribution. If there is satisfactory procurement then, as my friend Sj. Charu Chandra Bhandari has suggested, wherever the price goes up to a certain level, there should be rationing. But until we have got the resources it is no use Government

merely introducing full rationing in those areas on paper. It will not be effective and it will break down. It is no use trying experiment like that. However, my friend Sj. Charu Chandra Bhandari—

8j. SIBNATH BANERJEE: Sir, I move that the question may now be put. There are five Resolutions and we have already spent one hour on this.

Mr. SPEAKER: He has just started.

- 8j. J. C. GUPTA: I realise that because of some other Resolutions in the agenda paper the very great urgency and importance of food for which they wanted to be allotted a day or two has disappeared today in their opinion. But I really feel that the House is entitled to know from the Hon'ble Food Minister the entire position, the entire overall position regarding the availability of rice from all sources. The exact position of the availability of rice and other foodstuffs in the State and the method and system by which the Hon'ble Food Minister wants to make rice available should be stated. I think it is very important to know all this, but I find my friends on the opposite side think that there ought not to be any more speeches. If the question is put, then they don't want even the Hon'ble Food Minister to reply. I will cut short my speech. But let me again say that the Hon'ble Food Minister will do well to take the House into full confidence and explain all the relevant facts with statistics and figures relating to the food situation, which is the most acute demand of the time.
- SI. KHAGENDRA NATH DAS GUPTA: বাননীয় স্পীকার বহোদয়, আদি যে জেলার প্রতিনিধি হবে এখানে উপস্থিত হয়েছি, সে জেলা বরাবরই একটা বাট্তি জেলা। যুদ্ধের প্রের জলপাইগুডি প্রকটা ঘাটতি জেলাই ছিল। এই ৰৎসর, আমরা সকলেই জানি যে, জলপাইগুড়ি জেলায় ধান, চালের দুর, এক कार्विदान नाम मिल, गरर्नाष्ठ राम्राङ्। এও আদি জানি যে এক সপ্তাহ পূৰ্বে জনপাইগুড়িতে ৭৫—৮০১ টাকা পर्याच চালের দর উঠেছিল। (Sj. KANAI LAL DE: जाशनात्मत्र महीमशास्त्रतारे श कथा चीकांत्र করছেন না। ) আপনারা খনুন, খনুন খণু জনপাইগুড়িতেই নয় কুচবিহারের অবস্থাও ঠিক এই রক্ষ। Normal yeard's কুচবিহার জেলার বৃটি না হলে বাট্তি হয়। এ ছাড়া পশ্চিম বলের উত্তর অঞ্চল, জলপাইওড়ি, কুচবিহার, দান্দিলিং ও আলিপুর দুয়ার, বরাবরই বাট্তি অঞ্চল। আশে পাশে এমন স্থান নাই যে, ষেধান খেকে **এই ज्या**ल शनकान जामराउ शारत। এकनिएक विदात ও ज्ञानिएक जामाम, এत क्लान शासन शरका স্বাভাৰিকভাবে ধানচাল এখানে জাসতে পারে না বা জাসতে দেয় না। এই বংসর জ্বলপাইগুড়ি জ্বেলা ঘাটতি এলাক। হয়েছে কারণ এই বংগর সময়মত বৃষ্টি হয়নি, এবং যথন খৃষ্টি হল তথন এত বেশী হল যে তিন্তার বন্যাম সমস্ত মাঠ জলে প্রাবিত হয়ে গেল এবং বহু জমিতে বালি পড়ে অনাবাদী হয়ে পড়ে রইল। তারপর সেখানে সাম্পাষিক দাকা দেখা দিয়েছিল, ফলে বহু মুসলমান চামী সেখান থেকে চলে যাওয়ায়, হাজার হাজার একর জমি व्यनावाणी हरत পড়ে রইল। বৎসরের প্রথমে যখন আমরা হিসাব করে দেবি, তখন এইটুকু বুঝেছিলাম যে জলপাই-গুড়ি ও কুচবিহার জেলাম শতকরা পঞ্চাশ ভাগ ফসলও হয়নি। আমরা জানুয়ারী-ফেব্রুমারী মাসে কলিকাতায় ছুটে এবেছিলাম প্রধান মন্ত্রী ও খাদ্যমন্ত্রী মহাশ্যের কাছে, এবং তাঁদের নিকট প্রস্তাব করেছিলাম যে শিলিগুডি. দান্দিলিং, জলপাইগুড়ি ও কুচবিহার এই চারটি সহরে statutory rationing পুণা চালু করা হোক। পশ্চিমবঙ্গের খাদ্যের অবস্থা যখন জানতে পারলাম, তখন শুধু আমি নয়, আমার সাথে ক্চবিহারের প্রতিনিধিও हिल्लन, डोरमब कथा छत्न बायारमब नव बाना हिल् मिर्ड इन। बायारमब स्मना नम्मर्क छावना हिल त्य. ১৯৪৩ नार्म वा श्वानि, এ वश्मत्र श्वार जानता मर्गदा य शामात्र शामात्र लाक जनाशास्त्र नरत गारुछ।

পশ্চিমবন্দের থাদ্যের অবছা যথন আমরা বুখতে পারলাম তথন, আমাদের সে আশা ছেড়ে লিতে হ'ল। কিছ সৌভাগ্যের বিষয় বে, পশ্চিমবন্ধ সরকার করেক নাম হল জলপাইগুড়ি জেলাতে modified rationing বাবদ চাল, পুর ও milo ইত্যাদি দিচেছন। ু (Sj. Sibnath Banerjee: সেখানে চালের লান এখন কত তাই বলুন।) বতই হোক না কেন, সেখানকার অবছা এখন হরনি বে আজকে লোকে না খেতে পেরে বরে বাচছে। এখন বা খবর পাচিছ তাতে বানচালের লয় ক্রমণ: নেবে আসছে। খবর পাচিছ বে মানাজে

নাকি আন্যাভাবে দাৰুপ শুভিজের অবস্থা দেখা দিরেছে এবং ভন্ছি বে নাত্রাকীয়া প্র খার না কলে ভারা আ क्तिष्ठ विरुक्त Assembly Chamberds बरबाध क्ले क्रिक्स करताहम (व शरिष्ठ बारबास क्लाव কোন জ্বেলায় অনেকে গম বায় না বলে. সেই গম কেরত দিচেছ। জ্বলপাইণ্ডতি জ্বেলার লোকেরাও কোন বিদ্ধ গম খেতে অভ্যন্ত ছিল না। সেধানকার লোক বা চা-শুমিক যেই হোক্ তাদের গম স্বাভাবিক ধাদ্য নয়। এমন কি সেধানকার লোকের। গমের ফুটি পর্যান্ত তৈরী করতে জানে না। আজকে খাল্যের অভাবে গম ত দরের কথা milo পর্যান্ত তারা নিতে বাধ্য হচেছ। চারুবাবুর প্রন্তাব যদি গহপ করা যেত তা হলে জলপাইগুড়ি জেলার সৰ লোকেই full ration পেত, এবং তার। দ'হাত তলে পশ্চিম বাংলার সরকারকে আশীর্বাদ করত। ক্রিছ যে প্ৰস্তাৰ উনি এনেছেন সেটা কতনুর কাৰ্য্যকরী হবে এবং এটা practical proposition কি না তা বদি একট বিবেচনা করে দেখা যায় তা হলে দেখতে পাবো যে এটা মোটেই practical নয়। আমি আগেই এই কথা বলেছি বে, বংসরের পূথনে আমরা চারটা জেলায় statutory ration ব্যবস্থা করবার জন্য প্রভাব করেছিলাম। কিন্তু এখানে এসে পশ্চিমবঙ্গের যে খাদ্যের অবস্থা আমর। দেখলাম এবং মন্ত্রীমহাশররাও আমাকে সমস্ত হিসাব দেখিয়েছিলেন, তাতে আমাদের সে আশা ত্যাগ করতে হয়েছিল। তথন কলি<del>কাতার</del> rationing ব্যবস্থাই তেকে পড়বার অবস্থা হয়েছিল। আমরা সকলেই জানি, পশ্চিমবঙ্গের সূর্বেত্র full-scaled rationing দেওয়া সম্ভবপর নয়। এমন কি কলিকাতা সহরেও বহদিন full-scaled ration দেওয়া সম্ভবপর হর্মন। সামান্য কৈছদিন হোল কলিকাতাবাসীবা মাত্র দুই সের পাঁচ ছটাক করে ration পাচেছ। আজ পশ্চিম বাংলার অনেক জেলায় ২৫ টাকার উপর চালের মন হয়েছে। কাজেই সারা পশ্চিম বাংলায় সকলকে full-scaled ration যদি দিতে হয় তা হলে পশ্চিম বাংলা যে পরিমাণ খাদ্যালয় ভারত সরকারের কাছে থেকে পাচেছন তাতে এটা করা মোটেই সম্ভবপর নয়। ভারতবর্ষে এ বংসর খাল্যের ঘাটতির পরিষাণ ভারত সরকার স্থির করেছেন প্রায় ৬৭ লক্ষ টন। এই ৬৭ লক্ষ টন খাদ্যপ্রায় যদি ভারত সরকার অন্য দেশ থেকে আমদানী করে পরণ করতে পারতেন তা হ'লে হয়ত বা কিছুটা সম্ভব হত। কিছু দঃখের বিষয়, ভারত সরকার পাণপণ চেষ্টা করেও, এবং পথিবীর সকল দেশে তাঁদের প্রতিনিধি পার্টিয়ে যথাসম্ভব চেটা করেও ৬৭ লক্ষ টনের জায়গায় মাত্র ৫০ লক্ষ টন খাদ্যাল্য ভারতবর্ষে আম্দানী করতে সক্ষম ছয়েছেন। কান্তেই ভারতবর্ধের বর্ত্তমান খাদ্যপদ্বিস্থিতিতে পশ্চিম বাংলা ভারত সরকারের কাছ থেকে যে পরিমাণ খাদ্যশস্য সাহায্য পাচেছন, সেই সাহায্যের ছার। সব জেলায় যেখানে ২৫ টাকার উপর চালের দর হয়েছে সেখানে fullscale a ration দেওয়া সম্ভবপর হতে পারে—এ কথা কেট স্লম্ব মন্তিকে বলতে পারে না। এট পস্তাব যিনি উপ্থাপন করেছেন তিনি একদিন এই পশ্চিম বাংলার খাদ্য বিভাগের মন্ত্রী ছিলেন। তিনি পশ্চিম-ৰক্ষের খাদ্যের কি অবস্থা তা খব ভালভাবেই জানেন। স্থতরাং তাঁর পক্ষে এই রক্ষ প্রভাব দেখে আমরা অভ্যন্ত দ:ৰিত। তিনি কি করে মনে করেন যে এই রকম প্রস্তাব কার্য্যে পরিণত করা সম্ভবপর?

তিনি পশ্চিম বাংলার যেখানে ২৫ টাব্দার উপর চালের দর হয়েছে সেই সমন্ত জেলায় full-scaled ration দেওয়ার কথা বলেছেন, সঙ্গে সঙ্গে একথাও বলেছেন যে, দেশে খাদ্যের অভাব নাই, এই control পথ। वाश्राद क्रमारे शामात क्रांच एमंग पिराहर । এवः তिनि यक्ति मिराहरून एवं control एटन पिटन क्रांचार আর ২৫ টাকা চালের দর থাকবে না। তাই যদি সত্যি হয় তা হলে ১৯৪৩ সালে যখন সারা বাংলার দটিক (मधा (मग्र এবং ২০-৩০ नक लोक बनाशांत शांगेजांग करत्रिन ज्वन च बाला (मर्ग कान control किन না। গত বৎসরে আসাম এবং উত্তর পূদেশ খাদ্যে স্বাবলমী থাকায় সেখানে control তলে দিয়েছিল এবং তার ফল কি বাঁড়িয়েছিল তা সকলেই জানেন। আসামে চালের দর্ম ৭৫ টাক। পর্যান্ত হয়েছিল এবং আসাম সরকার কেন্দ্রীয় সরকারের নিকট হাত পাততে বাধা হন। উত্তর প্রদেশের অবস্থাও তাই।

এই সৰ দেৱে শুনে, ওঁবা যে বার বার বলেন control তলে দিতে, যেন control তলেই আমাদের মুর্গ-ব্লাজ্য হয়ে যাবে, সেটা আপনার। বিবেচনা করুন। পশ্চিমবঙ্গ ঘাট্তি প্রদেশ নয় এটা যাঁরা বলেন তারা হয়ত যদিরে ররেছেন। পশ্চিমবন্দের মাননীর খাদ্যমন্ত্রী আমাদের জেলার control পুরন্তন করেছেন। জেলার পতিনিধি হিসাবে আৰি তাঁকে অনুবোৰ করছি control বজায় রাখতে। যদি আজ control তলে দেয়া হর ভাছলে ভার কল ভয়ঙ্কর হবে। আর নাস বানেক পরেই নূতন বান চাল দেব। দেবে। ভারপরে আগামী বছর য়দি পশ্চিম্বন্ধ সরকার জলপাইগুড়ি জেলার কোনস্থপ procurement না করেন তা হলে আমরা জেলাবাসীর। অনেক প্রবাদে গভৰ: Control আবাদের রাবা প্ররোজন এবং তথু আবাদের জেলার নর সারা পশ্চিম বাংলার জনাই পুরিজন বতদিন খানাদের এখানে খাদ্যের বিশেষ খড়াব ররেছে। (Sj. Haripada Charrenjee: ারালারণারণারদের খন্য এই বেকি control রাখা প্ররোজন।) Control বেকি কি খাঁটি সেটা পুরাণ করবার ভার খাপনাদেরই উপর।

একটা কথা আমি এখানে বলছি, এই পুতাবের বিনি উণ্থাপক তিনি এবং ওদিককার আরো একজন বলেছেন বে বেথানে ২৫ টাকা চালের নপ হবে নেথানেই সকলকৈই ration দিতে হবে। কিছু তার কলে দাঁড়াচেছ কিং একে জুন নানে আনাদের পশ্চিববক্ষ সরকারের এবন অবস্থা হরেছে বে তাঁরা বংগঠ থানচাল আনতে পারেন নি । সকলকেই যদি থানচাল দিতে হয় সে থানচাল কোথারং থক্ষন থানচাল বদি আনাও যায়, তবে যায়া নাকি উৎপাদক, বাদের ঘরে থাবার থানচাল মরেছে, যদি সকলকেই রেণন দিতে হয়, তাদেরও দিতে হবে। কিছু তারা রেণনের চাল নিয়ে কয়বে কিং সে চাল যাবে অন্য কোথাও নয়, পশ্চিববক্ষের বাইরেই এবন জায়গা ররেছে বেখানকার চালের দর আবাদের controlএর দরের চেয়ে বেশী, সেইখানে সে চাল চলে যাবে। ছুতরাং ও পুতাবটা আমি practical বনে করি না।

তবে একটা কথা উঠতে পারে দেশের গতর্গবেণ্টই বদি দেশের বাবতীর উৎপন্ন শস্য, ধানচাল সমস্তই নিরে নের, এবং সমস্ত দেশবাসী রেশন প্রথার প্রবর্জন করেন। কিছ তার কলে কারে। বরেই কিছুমানু শস্য রাখা চলবে না। কিছ এই প্রভাবের বিনি উণ্থাপক তিনি কি এটা সমর্থন করবেন? যদি একথা কৃষকটের কাছে গিরে বলেন যে তোরার সমস্ত ধানচাল দিতে হবে কয়জন কৃষক তাতে রাজি হবে? কোন কৃষকই এরকম প্রভাবে রাজি হতে পারে না। নিজের বরের বান ছেড়ে দিরে ১৬টাকা ৮৮ আনা দরে ধান কিনতে কোন কৃষকই রাজি হবে না। অথক ধানচাল কৃষককের বরে থাকবে, আবার controloর চালও তাদের দিতে হবে এটা বাটে না। তা ছাড়া পশ্চিম বাংলার প্রত্যেকটা বাড়ী থেকে যদি সমকারকে ধানচাল সংগৃহ করতে হয়, এবং সে সমস্ত ধানচাল সংগৃহরে পর সমকারের নিজের গোলার আনতে হয় তা হলে যে পরিমাণ লোকের দমকার ও গোলার ক্ষকার এবং তার জন্য যে থাকচ করতে হবে, দেখতে হবে শে থাকচ পশ্চিমবন্ধ সমকার বহন করতে পারেন কিছা। আবার বতে সেজন্য বে অথক প্রত্রাজন তা পশ্চিমবন্ধ সমকারের নাই। তদুপরি পশ্চিমবন্ধর উৎপন্ন সমুদ্র লায় কেনবার মতন অর্থও পশ্চিমবন্ধ সমকারের নাই। মৃত্রাং এ প্রভাবটা practical একেবারেই নর, এর একমাত্র উপেনা হচেচ নির্বাচনে প্রতিহলিতার জন্য propaganda করা কিছ দেশের লোক এ তাঁওতার ভূলবে না।

8j. SIBNATH BANERJEE: शुधरत चानि ताननीत Speaker नरहानतरक चालिनमन चानाहिक বে অবলেষে Assemblyতে এই শেষ দিনে তিনি আবাদের non-official ব্যাপার আলোচনা করবার এই স্থাবোদ দিরেছেন। গভণবেণ্ট পক্ষ যত রক্ষ পারেন বাধা দিরেছিলেন এরং যত রক্ষ সম্ভব চেটা করেছিলেন। এগুলি छैठेरा ना निरुष्ठ ; किन्छ त्यम कारन Speaker नशानरात्र नाशास्या जानता अहे निन्हा त्यात्रक्ष । किन्छ त्य जनवा **(१९४) है--(१७)(९ कोक ठन(६,--)(७ क्यांगामंत्र गर्वश्रम ब्यांगा**ठ) विषय बाक्टक ब्यांगाठना इटर कि ना गर्नाह। আৰৱা অনেক চেষ্টা করেছি কিন্ত কৃতকার্য্য হই নি সব প্রস্তাবগুলি উবাপন করতে। যাক—যে স্প্রযোগটা পেরেছি, ভাতে যে প্রস্তাবটা এখন আলোচিত হচেছ, আমার মনে হয় সেটা অতি প্রয়োঞ্জনীয়। কারণ গভর্ণবেণ্ট নিজ (बंदक्टे declare क्रब्बिट्लन व शें किन केकाब तभी यमि मात्र दश, उदब आवता ration क्रव मात्र क्याव। छाँबा বলেন-সভাবেৰ জনতে-কিছ কাজে তা করেন না। অভান্ত নির্নজজভাবে নির্জনা অসভা উদ্ভি উচচারণ করেন। ভা: রার বলেছেন---অনাহারে মৃত্যু এই জিনিমটা ডাক্তারি বইরে নাই এবং সেই জোরে তারা বলে বেডাচেছন ৰে জনাহারে কেহ মরে নাই। দেশের লোক বলছে আমাদের ভাত কাপড় দাও, শিক্ষা দাও নইলে গদি ছেডে চলে यो। तरे कथा श्वत नामा अध बरानम बलाइन---public এই जीवजान जनत ना। जाना त्यस स्वरंख পাৰেন-–ৰে এটা ৰোটেই ভাঁওতার কথা নর। এটা ছতি লোজা কথা যে গভৰ্ণমেণ্ট লোককে ভাত কাপড षिए शास ना त्म शर्फ्नाराप्टेन शाम थार्ट नम्बान कान करिकान मारे। थक्या शास शास, महस्त महस्त, আৰু উঠছে। তারা বে রকম নির্বন্ধভাবে মিছে কথা বলেন সেইরকম নির্বন্ধভাবে গণিতেও বসে আছেন। কিছ এর ঔষধ জনসাধারণ দেবে আগামী নির্বোচনে। স্কালায় একটা কথা আছে--ভাত কাপডের কেউ নর কিল দেধার পোসাই। কিছ জনসাধারণ এই তাঁওতার উত্তর দিতে প্রস্তুত হরে আছে। তাঁওতা কে দিচেছ, তার পরিচর त्मवादन विदेशे शादन।

fanab MUDASSIR HOSSAIN: Mr. Speaker, Sir, the performance of my friends over there reminds me of the Bengali adage "बढ त्याच नच त्याच", that is to say, for all the ills from which this poor and unfortunate country is suffering is due to the Ministers who are in power—that is the whole burden of theme. But, Sir, if you kindly look into the world affairs and into the world production and the statements which have been made by advanced countries in respect of India, you will be convinced that it is not the Ministers, it is not the Congress Party or it is not the Congressmen who are responsible for this state of affairs. Sir, the reason—the real reason-for this scarcity which now exists deep-rooted in the soil of India is the practice of primitive agriculture by its people. This is not my own word. This is from the report of the Agriculture Department of the United States of America. This chronic poverty, this chronic scarcity, is deep-rooted in the soil of India by virtue of the practice of primitive agriculture. Sir, it has been said that no Government-no one-can improve the practice of agriculture unless the people themselves take to advanced methods and scientific means. Unless the people follow the other advanced countries in respect of intensification of cultivation, in respect of scientific agriculture, Government alone cannot do this.

Sir, I have always said that the reason why the people are suffering from chronic poverty, from chronic scarcity, is the reason which has been given that we the Indians or the Bengalees are unfit for work. The other day I quoted from a contemporary British poet who spoke about the present condition of the British people. I repeat it. He said: "We are stuffy men, we are hollow men, we are men in form but without shape, we are men in shape but without colour." The same remark which was applied by a British poet to the British people after the Second World War can also be applied to the people of India or, for the matter of that, to the people of Bengal. Sir, we are stuffy men, we are hollow men, we are men in form but without shape, we are men in shape but without colour. What do we know? We know only of uttering slogans and saying that we have attained freedom, we have attained freedom, we have attained freedom. We are now a free people. The causes of all our ills were the British people and now that the Britishers have been removed from the arena, milk and honey should flow in the country. That is altogether a mistaken idea. Unless you take to scientific means, there can be no improvement in the condition of the people. I shall just now quote from Phyllis Davies who writes in the "Manchester Guardian". He wrote this in October, 1951. It is said there: "When every town and village is proud of itself and works to raise its standard of life the total answer is a well-ordered country. For good Government does not stem from a central national parliament alone. Much depends upon the men and women who work on the local corporation and councils of big cities and the small villages.

In Britain 800 of these civic leaders have just been holding their annual conference where the bright ideas of the little man from the small market town were listened to with as much respect as were the opinions of Lord Mayor of a great city. In this conference national leaders took a lively interest and took part and three papers were read by them.

The first paper was a detailed reminder that in Britain work for the people largely means work by the people, consisting as it does of much voluntary effort.

This exposition of voluntary organisation with statutory bodies was given by the Dowager Marchioness of Reading, Chairman of the Women's Voluntary Services. This is a nation-wide organisation of tens of thousands of women in all walks of life, which began as a World War II service and

is now a firm feature of national life in the United Kingdom. The keynote of Lady Reading's address was that members of the Women's Voluntary Services regard themselves as the hand-maidens of local Government and are organised on local authority basis. The scope of their work is limitless.

"Members who are mostly busy housewives or women in job do all manner of services to the communities in which they live, from visiting old people, running aged people's club home help schemes, assisting in hospital working for the force and in child welfare to collecting seeds and plants from owners of large gardens for people living near bombed sites."

That is why Britain is such an advanced country, that is why America is such an advanced country. As I have just said it is the people who work for themselves, it is the co-operative people, the people who take to co-operation that do real work. When they feel that co-operation is necessary, they combine together and put into effect the scientific method of agriculture and all these things. Sir, this scarcity is due as I have just now said to primitive methods of agriculture. If you want to plough the furrow, desert furrow from day to day and scratch, the land, no remedy lines for this scarcity of food. This scarcity of food can only be removed by improved method of agriculture. I have said all this when I moved a token cut on agriculture. That is the only way of removing this scarcity, that is the only way of removing poverty. The only means of saving the country is to increase its production by adoption of scientific co-operative methods. Unless and until you do this, no amount of abuse, no amount of hurled invectives, no amount of propaganda and no amount of anything will help you in benefiting the country. The source of that is co-operation, scientific agriculture and increase of food production by three or four times. That is the main thing.

As regards population, my friend reminds me that the population grows every year, and therefore every year it requires more food for the growing population. That is quite true. (Janab MD. KHUDA BUKHSH: Birth control!) If you examine the agricultural production of Germany-(Interruption). Sir, I have been delivering an extempore speech, and whenever you interrupt me in this way I lose the thread of my thought. Sir, it has been said that the growth of population must be the reason for this scarcity of food, but that can never be the reason. I have read that birth control is practised in Norway and Sweden where there is a growing population, and, Sir, they adopt scientific birth control methods, and the population remains at par at least the population increased only by 2 or 3 per cent. You cannot produce food, but you go on producing children (Laughter). That is a very unreasonable method. You are producing children, you are breeding children, but you are not producing food. That is very bad. As a scientific nation you are still undeveloped. You are still semi-civilised. If you want to increase your birth rate you must increase your food production also.

That leads me, Sir, to another question. According to both Hindu and Muslim religious preachers, man must go on multiplying (Laughter). According to Christianity also man must go on multiplying. The Government of India and Pandit Nehru are very much concerned about this, and therefore W.H.O. or World Health Organisation was approached, and an application was made to them to come to India and examine how the birth control can be effected without injuring the religious feelings of the population. Sir, I am glad to announce that such men are coming who will advise the scientific means of birth control. You ask the Government for co-operation, but you never co-operate with any person.

You, Sir, go to any village, anywhere and you will find that they are rent with party factions, not only one but several party factions, even if the village consists of 60 or 70 houses. Sir, if you want to improve the lot of the people you will have to adopt co-operative scientific agricultural movement and by this only you can produce more. Sir, I shall end by saying—

गर्वधर्मान् পবিত্যন্ত্য মামেকং সারণং ব্রন্ধ:।
অহং দাং স্বর্পাপেড্যো মোক্ষায়িদ্যামি মা শুচ:।।

This is a quotation from the Gita "ব্ৰুমাৰ্ প্ৰিডাল" means "give up all slogans, formalities, dogmas". Lord Shri Krishna says "follow me". Here if you want to do any good to the humanity you shall have to follow the other advanced countries, like Germany, Britain, Russia, China. You shall have to increase production by adopting their methods. (A voice: You speak of Russia!) Why not? You must give the devil its due. I am not afraid of Russia. They have increased their production by co-operative methods. By following their methods we are not committing any treason, we are not going to be communists or socialists. We simply want to increase our production of food, etc., by following their advanced methods and thus drive away scarcity and get plenty of food, etc. This can only be done by following scientific co-operative agricultural methods and education also is necessary.

Mr. SPEAKER: You will please speak after the recess. (At this stage the House was adjourned for 15 minutes.)

(After adjournment.)

Janab MUDASSIR 'HOSSAIN: Sir, as I was saying-

Dr. SURESH CHANDRA BANERJI: On a point of privilege, Sir, এর আগে কোন দিন গভর্ণমেন্টের পক্ষ থেকে এত বজ্তা দিতে আমরা দেখি নাই। আজকে আমানের non-official day—এটা as a special day আমবা অনেক কষ্ট করে পেয়েছি। যদিও আইনত আমরা সপ্তাহে এক দিন করে non-official day পেতে পাবি কিন্তু গভর্গমেন্টের আপত্তির কলে তা আমরা পাইনি, এবং অনেক চেষ্টার পরে একদিন মাত্র পেয়েছি non-official resolutionএর জন্য। আর, আমি দুংবের সঙ্গে বলছি,—য়িদও আমরা বার বার গভর্গমেন্টের সঙ্গে সহযোগিতা করেছি, এবং অমন যে পুগতিবিরোধী Municipal Bill তাও পাশ করে দিয়েছি, কিন্তু আমানের এত যে সংক্ষিপ্ত একটা মাত্র non-official day তাতে ওঁরা আর কিছু করতে দিচছেন না। ওঁরা নাকি আজ যেভাবে কাজ করছেন যদি এইভাবেই কাজ চালাতে থাকেন তা হলে আমানের এই non-official day থাকা না থাকা সমান। কিন্তু যদি ওঁরা মনে করেন যে non-official day কাজ চালান উচিত, তাহলে আজকের যিনি Leader of the House তাঁকে জিপ্তাসা করছি,—তিনি বলুন, সেই বুঝে আমরা আমানের কর্মব্য ঠিক করব।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, I am very sorry that Dr. Banerji has imputed motives to Government. Two very large and important questions have been raised by the Opposition speakers today, namely, that there is no scarcity in West Bengal or the scarcity is a fake and make-believe affair, and that control should be withdrawn. Sir, one is a question of fact and the other is a question of policy. These two questions have been raised, and I believe every member representing a particular district or area is entitled to say whether there is scarcity in his district or not and whether he prefers decontrol or not. Sir, every member has the right to speak on these two vital questions, and I contend that the debate should not be curtailed or shut up.

Dr. SURESH CHANDRA BANERJI: ওir, এইজন্যই আবরা একটা special day চেয়েছিলাম খাদ্য পরিস্থিতির আলোচনার জন্য কিন্তু আমাদের সে——

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sir, the Opposition cannot pack an agenda with very many resolutions and then insist that all those resolutions must be discussed and finished in one single day. That is an impossible proposition. They demanded a full day for debate on food—after all, it is a most important question—and they have this day. They have chosen to discuss that very important question, and they cannot stop the discussion on it. When they have a pack of resolutions, they cannot dictate that all those resolutions must be discussed and disposed of in one single day.

Dr. SURESH CHANDRA BANERJI: Sir, আমরা বহুবার বলেছি দেশের খাদ্য-পরিস্থিতি গুরুতর আকার ধারণ করেছে দেইজন্য সেটা আলোচনা করার জন্য একটা special dayর দরকার (Voices: No, ne. আমরা শুন্ন না—interruptions.) আমি আপনাদের disturb করিনি, এখন আমার বক্তব্য বলতে দিন। এই খাদ্য-পরিস্থিতির আলোচনার জন্য আমার একটা Adjournment motion ছিল কিন্তু সেটা আলোচনা করতে দেওবা হয় নাই। তারপর গতর্গনেণ্টকে আমরা পুন:পুন: অনুরোধ করেছি খাদ্য-পরিস্থিতির আলোচনার জন্য একটা দিন time দিতে। তা তাঁরা দেন নি। তারপরে বহু চেটার ফলে আমরা এই non-official dayটা পেয়েছি। এবং এই দিনটিতে আমরা শুধু খাদ্য-সমস্যাই নয়, বর্গাদার-সমস্যা, ঠিকা tenancy সমস্যা, political সমস্যা সব সমস্যা সম্বন্ধই আলোচনা করতে চাই। যদি শুধু খাদ্য-সমস্যা সম্বন্ধই আলোচনার ইচছা গভর্ণমেণ্টের হয়ে থাকে তবে তাদের উচিত ছিল আমাদের অনুরোধ রক্ষা করে এ জন্য একটা special day নির্দ্ধারণ করা। দেখে শুনে মনে হয় গভর্ণমেণ্টের যেন এই ইচছা যে আমবা যেন জনগণের মধ্যে কোন কথা না বলতে পারি। ভাগ চার্ঘীদের মধ্যে, Jute growerদের মধ্যে, Jute Mill workersদের মধ্যে গিয়ে কিছু না বলতে পারি আগামী নির্বাচনের পূর্বে এই উদ্দেশ্য নিয়েই Government আজ sabotage করচেন।

আমি আপনার কাছে ruling চাই, আপনার সে শক্তি আছে কি না জানি না, গভর্ণমেণ্টের অন্যায়ের বিরুদ্ধে আপনার কাছে আমরা protection চাইছি, আশা করি আপনি আমাদের protection দেবেন।

Sir, আমি protest করছি না, আমি দাবি পেশ করছি। প্রতি সপ্তহে আমবা একদিন করে চেমেছিলাম, কিন্তু তা তাঁরা দেন নি, (A voick: ঠিক কথা, চাইলেই কি পাওয়া যার?) আমি ত আপনাদের বাধা দেই নি আমাকে বাধা দিচেছন কেন? গভর্ণনেণ্ট যদি আমাদের সপ্তাহে একটি করে দিন দিতেন, তা হলে আমরা এক এক দিনে এক একটা বিষয় আলোচনা করতে পারতাম, গভর্ণনেণ্ট আমাদেব forced করেছেন এইভাবে packed up করতে এবং এখন আমাদের কণ্ঠরোধ করতে পবস্তু হয়েছেন এবং regularly sabotage করছেন।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: Sabotage is in your brain.

- Dr. SURESH CHANDRA BANERJI: তাই Sir, আমি আপনার protection চেয়েছি, আপুর্লিন যদি protection না দিতে পারেন, তা হলে গভর্গমেণ্ট কি করতে চান সেটা তাঁবা আমাদের বলেদিন,— আমরা তদনুসারে আমাদের নীতি নির্দ্ধারণ করব। আমরা ধানিকটা সহ্য করে দেখব, তাপৰ আমাদের কর্ত্বয় আমরা ঠিক করব। এইভাবে গুরুতর সমস্যা ও গুরুতর পুশু সম্বন্ধে গভর্গমেণ্ট-সভ্যদের অসঙ্গত ব্যবহার সহ্য করা অসন্ধ্ব হয়ে দাঁতিয়েছে।
- 8j. KANAILAL DAS: Sir, ওঁরা বলছেন কি বুঝতে পারছিলে। তাঁরা বে চেটা করেছেন, সেটা ঠিক, এবং সেইজন্য গভর্ণবেণ্টও তাঁদের জন্য একটা দিন ঠিক করেছেন।
  - 8]. KANAI LAL DE: আপনি অক্তা করছেন নাকি? আপনি কি দলের leader?
- Dra (\*\*BURESH CHANDRA BANERJI: যখন দেশের সক্ষটজনক খাদ্যাবন্থা আলোচনার জন্য একটা দিন আবরা চেরেছিলান, তখন আপনি ক্ষেছিলেন এজন্য একটা দিন দেওরার প্ররোজন নেই। বেদিন

nonofficial day হৰে গেৰিনই এটা আলোচনাৰ ক্ষৰোগ পাওৱা নাবে। আৰু নেই দিন fix করা ব্রেছে। আনৱা চাইছি বে এটা নিরে disebasion হোক। Food ব্যাপার একটা প্রকারী জিনির এটাকে তুচছ করা চলে না। বহু districtএর লোক এখানে আছেন। তাপের নিজের নিজের জেলার অবস্থা বলবেন। সেইজন্য আনাপের বিবেচনার এর discussion চলতে পেওনা উচিত।

Sj. BIMAL COMAR CHOSE: Just one word, Sir. What the Hon'ble Minister has said and what my friend Sj. Kanailal Dass has said is not quite true. The position is, everybody realises that the food situation is a very important problem and should be discussed. But Government have never been serious about it. For instance, they never wanted to face it unless they were forced to do so. Sir, since we met in this session, as Dr. Banerji has pointed out, we have been trying to have a day for discussion of that subject, and if Government were serious they could have given one day from their own days. Apart from that, 21 days' notice was given and Fridays were also utilised by them. If they were serious they could have given us one of those Fridays which are usually set apart for that purpose. Last Friday we were entitled to it because 21 days had elapsed. But even then Government did not give us time to discuss the food problem. Today they were forced to give us this day, but since we have accommodated the Government so long and since Government have been encroaching upon our time even though we are legitimately entitled to it, it behoves the Government to co-operate by acceding to the request of the leader of the Opposition to give us time.

Sir, I do not want to take more time. I had a lot of things more to say, but it is very unfortunate that the Government are not showing co-operative spirit. It appears that they are afraid to face the Opposition or the country on the other problems and that they want just to drag on this discussion so that nothing else could be discussed. Sir, that is not a very helpful situation. Of course, I know very well that you cannot help us very much in the matter. The rules do not give you any power. If you are satisfied that sufficient discussion has already been made on this particular problem, you may direct that the question may be put, but that also is in your discretion. So, it only depends upon the Government as to what they will do in this matter.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I am afraid, my friends opposite are putting a very illogical proposition. They admit that the food question is a very serious question, on the one hand, and, on the other, they desire obviously that members representing various districts—members on this side—should remain mum and not participate in the discussion. This is an utterly illogical and untenable position to adopt.

Sir, the food position has been raised in season and out of season and irrelevantly often. Today, Sir, there is an opportunity to have a full-dress discussion. I should have thought that the honourable Leader of the Opposition would be the first to welcome wholeheartedly the expression of views on the food situation because nobody's view may be regarded as a monopoly view on the food situation. Is it the intention of the honourable Leader of the Opposition that members representing different districts should keep mum and should help him to give currency to what he is pleased to spread and propagate as the gospel truth to be accepted by the people of Bengal? Here, Sir, is the opportunity. They should come forward with facts. They should come forward and suggest definite constructive policies for the solution of the food problem. If they do indeed take the food question really seriously rather than try to use it as a handle for irresponsible propaganda, I, Sir, should be the last to think that any member of the Opposition should be gagged. In fact, on every Bill, on

every proposition, that came up before this House, members of the Opposition—as many as they liked and as long as they liked went on speaking and expressing their views. You, Sir, were very, very generous indeed on the score of allowing such facilities. We are all agreed that the food position is a difficult question. Now, let us have the views, facts, policies and suggestions on all hands and there is the Hon'ble Food Minister to meet all those points so that there may be a circumspect debate—there may be a discussion—and the country may know what transpires in the minds of its representatives in this House instead of trying to keep the people mum and dumb and to pass on things with which one would like to lead astray or mislead the people with wrong notion—

8]. SIBNATH BANERJEE: On a point of order, Sir. My point of order is this. He can speak on the food problem—on the resolution—he is quite welcome, but, Sir, whether there should be a debate or not that is your prerogative and he should not usurp the prerogative of the Chair. Therefore, what he has been speaking for 15 minutes is absolutely and utterly irrelevant—the other adjectives that he used I quote. The speech that he delivered is utterly irrelevant, utterly useless and I hope you will kindly rule him out of order.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Instead of wasting time, the debate might proceed and the honourable member in possession of the floor of the House may, if you please, be allowed to continue his speech and the House may have an opportunity to listen to him.

Dr. SURESH CHANDRA BANERJI: স্যার, আমি দু'টি পুশ্রের answer চাই। প্রথম ছচেছ, Government পক্ষের কতজন বজা বজ্তা করবেন এবং কত সময় নেবেন; হিতীয় হচেছ আজকে House কতক্ষণ চলুবে। আমাদের ৫টা প্রস্তাব আছে এবং আমরা সেগুলি সম্বন্ধে বলুতে পারব কি নাং

The Hon'ble Rai HARENDRA NATH CHAUDHURI: The names of the speakers have been supplied to the Speaker of the House. It is for him now to ask the speakers to stand up and speak. It is not for us to say anything. We have supplied the list to him.

Dr. SURESH CHANDRA BANERJI: আপনার। time control করে দিন। ১০ বিলিট করে সময় দিন।

The Hon'ble Rai HARENDRA NATH CHAUDHURI: According to your dictate?

Dr. SURESH CHANDRA BANERJI: Sir, আমার পুশুগুলির কি ব্যবস্থা করলেন ?

Mr. SPEAKER: The House has taken about 25 minutes in talking about this question of privilege. I did not interfere very much because today is the last day. But let us remember that questions of privilege and questions of order should always be raised on as few occasions as possible because that interrupts the speech. The point is as to what I should do. The question is, today is the non-official day. A non-official resolution is here. If members desire to take part in that debate, I cannot prevent them from taking part in it. The question of controlling the speakers on the one side or the other is the business of different parties of the House. Today being the non-official day and the question before the House being the food debate and as the problem of food position is prevailing in most mofussil areas—not in one or two areas but in most mofussil areas—if members wish to speak, I do not think I can stop them from speaking. Therefore, there cannot be a question of privilege in this matter.

With regard to the question of order, I do not think there is any point in that because if the Opposition desires to know the views of the Govern-

ment as to what they wish to do, then the Government are entitled to say as to what they have to say in this matter. Under the circumstances, it is for the members of the House themselves to consider as to how to curtail their speeches and how to finish the work. So far as I am concerned, I cannot stop any member from speaking. I now ask Janab Mudassir Hossain to speak and I would request him to be as brief as possible.

Janab MUDASSIR HOSSAIN: Sir, I was saying that in the Koran Mohammad has been described as خاتم النبون that is, he is the last

of the Prophets, he is the last of the apostolic dispensation; that means, after Mohammad there would be no apostles or there would be no Prophet and the reason for this is that the days of apostolic revelation, the days of Koranic revelation are gone and past. It is a modern age which has arrived, the modern age has revived. Therefore the days of revelation, the days of apostolic revelation have been closed after Mohammad. After that begins the modern age. Now, who are the apostles? It is the advanced nations who have brought in bright results in the field of economy, in the field of science, in all fields of material subjects. They are the leaders, they are the apostles. Therefore, Sir, I say that in this life " সংবাদান প্রতিজ্ঞা বিশ্বাৰ বিশ্বাৰ প্রতিজ্ঞা ' that means, if you like to improve yourself follow the advanced nations, their conditions, their circumstances.

Sir, the same thing occurs because we are all very religious people. We, the Hindus and Muslims of India, are very religious people. If we quote from Koran or Gita or from Upanishad, that will be very interesting to you and that is also scientific.

বৃদ্ধং শবনং গচছামি, সভবং শরনং গচছামি, ধর্মং শরনং গচছামি।

We should follow the greatest leader who had brought in a millennium in the world.

(At this stage the red light was lit.)

Mr. SPEAKER: Your time is up.

Janab MUDASSIR HOSSAIN: Sir, I am finishing. Sir, that is the way in which scarcity can be driven out from this land of ours.

Then as regards another thing and it is very important, I mean control, procurement——

Mr. SPEAKER: Please sit down; your time is up. Yes, Mr. Zaman.

Sj. HEMANTA KUMAR BASU: On a point of information, Sir. কন্ত-কণ এই House চলবে?

Mr. SPEAKER: Let us sit up to 7. After 7 o'clock it will depend upon the will of the House.

Sj. HEMANTA KUMAR BASU: এডদিন কোন debate হল না, আল কেন হঠাৎ এত serious হলো ?

Mr. SPEAKER: Hemanta Babu, that question has been raised. The thing is this: that this resolution is before the House. Now you wish to know something from the Government as to what resolution will be taken up and what will not be taken up. I can say this that as soon as the first resolution is concluded, the next resolution will be taken up, but if you interrupt in the middle of the speeches, it will mean more delay.

- 8j. CHARU CHANDRA BHANDARI: শেষদিন আবরা bitter কিছু করতে চাই না, ভুষু debate করব।
- 8j. HEMANTA KUMAR BASU: Leader of the House এবং Leader of the Opposition পু'জনে নিলে ঠিক করে নিন কড়জন বজ্তা করবেন। আপনারা ত এতদিন কেউ কিছু বলেন নি, Dr. Royই এতদিন House চালিয়ে গিয়েছেন।
- 8j. KANAI LAL DE: আমরা যদি আপনাদের মতন হতাম তহলে municipal আইন pass করতে পারতেন না।

Janab A. M. A. ZAMAN: মাননীয় শীকার, স্যার, প্রথমে আমি ভেবেছিলাম আমি কিছু বলব না, কিন্তু ওদিক থেকে বার বার একই কথা আমাদের শোনান হচেছ। তাঁরা ভেবেছিলেন electionএর আগে তাঁর। যা তা ব'লে চলে যাবেন। কিন্তু সোটি হতে আমরা দেব না; তাঁদের জানা দরকার, প্রত্যেকের ধারার অধিকার আছে এবং এবানে প্রত্যেকেই ভোটে এসেছে; প্রত্যেকে নিজের পায়ে দাঁড়িয়ে এসেছে।

আজে বাংলাদেশের পুধান সমস্যা খাদ্য। তাঁরা যদি অন্যান্য পুস্তাব আগে জালোচনা ক'রে পরে এই পুধান
পুস্তাব সহচ্চে আলোচনা ক'রতেন তা হ'লে বৃদ্ধিনানেব কাজ হত। কারণ, এই খাদ্য সমস্যা নিয়ে তাঁরা যা তা
খ'লে যাবেন তা হবে না, কারণ, আনরাওতো এখানে রয়েছি এবং গত ১৫ বংসর এই Houseএ আছি।
এই সমস্ক যা তা বলার উত্তর দিতে আমরাও জানি।

কাজেই আমার কথা হচেছ যে তুতপূর্বে থাদ্য মন্ত্রীমহাশরের একটু চিন্তা করা উচিত ছিল বখন তিনি এই পুতাব আনেন যে বাংলা দেশে কত লোকের যরে কত মণ খাদ্য উৎপনু হয় এবং কত লোককে ration দেওয়া দরকার। তিনি যদি সমস্ত জিনিম পরিকার করে বুঝিয়ে দিতেন, তা হ'লে গতর্গমেণ্টও সব বুঝতে পারতেন কিন্তু সেদিকে তিনি যান নি। উনি শুধু পুতাব এনেছেন এবং বলছেন, "দেখ হে দেশবাসী, আমরা তোমাদের জন্য কত ভাল করতে চাই। যেখানেই চালের দর ২৫ টাকার উপব সেখানেই full sealed ration দেবার পুতাব করেছি" কিন্তু তাঁর ভাবা উচিত ছিল যে বাংলা দেশে কত জমিতে ধান ও কত জমিতে পাটে চাম হতে পারে। কত উৎপনু ধান বাদে India Government কত ration দিতে পারে এবং সমস্ত লোককে যদি ration দিতে হয়, তা হ'লে কোখা খেকে তা আনতে হবে তাব একটা হিসাব দেওয়া উচিত ছিল। কিন্তু তাতিনি দেবেন না। আজ উ'নি কংগ্রেস খেকে চলে গিয়ে বলছেন কংগ্রেস ভাল নয়। কিন্তু যতদিন পর্যন্ত উৎপনি পাইতে ছিলেন, ততদিন ওঁনার মতে কংগ্রেস ভাল ছিল। আজ বলছেন কংগ্রেস ভাল নয়। তিনি যতদিন এই ministryতে খাকবার সময় বুঝি এটা খারাপ ছিল না?

দিনীতেও দেখলাম scheduled casteds প্রতিনিধি ডা: আছেদকার বলেছেন যে "ministryতে ধেকে ক্ষেকটা টাকা নিয়ে কি হবে, তার চেয়ে electionএব propoganda করলে ভাল হয়।" এই যে সব এঁদের কাঁকীবাজী, তা আজ দেশবাসীব কাছে ধবা পড়েছে।

দেশবাসীৰ টাকা প্রসার অভাব সত্ত্বেও, বায়স্কোপের টিকিট ক কম বিক্রম হয় না ? সেখানে টিকিট কেনবার ছুনা বেশ line বেঁথে যায। দেশে এই যে একটা ভীষণ জিনিদ স্টি হযেছে; ঠিক এই বকম সিনেমা, বায়স্কোপের মত এঁরা দেশেব লোককে ভুলিয়ে বাখবার জন্য, নানা রকম propoganda কবে লোকদের পাগল করে ভুলছেন। কারণ, সমস্ত লোক পাগল হয়ে গেলে, তাবা বলতে থাকবে যে, ''আমাদেব গর্ভনিফেট, আমাদের জন্য কিছুই করছেন না, এই কথা তাবা ভাবছেন। তাবা যদি সত্য সত্যই দেশকে ভাল বাসতেন তাহলে দেশবাসী যাতে খাদ্যস্কব্য পাম তাব জন্য চেষ্টা কবতেন এবং গর্ভনিমেণ্টকে constructive suggestion দিতেন, কিছু তা তাঁরা কবছেন না।

গ্রানে বহু জনি পতিত অবস্থায় পড়ে আছে, সুখানে হাল দেওয়া যাচেছ না, এবং তার জন্য দায়ী গতর্পনেণ্ট, এই কথা ওঁনার। বলছেন। ওঁদের এই যে prepoganda করা ওঁর একমাত্র উদ্দেশ্য হচেছ যে এই ধরণের নিটিং করে যাতে দু-চার আনা পয়সা তাঁদের পকেটে থাকে। তাঁদের পুত্তোকটি দল এই রকম তাবে কাজ করছেন। খালো দেশে Opposition দল ক্রমণ: বেড়ে চলেছে এবং Opposition দলের মধ্যে যে গোলমাল তা নিট্নাট্

হচেছ না। এই সমন্ত দলগুলি মদি একটু চেটা করতেল তা হ'লে বেশের বাল্য শন্য বাড়াদর কাজে বৰ্ণেই সাহার্য করতে পারতেন, কিছ তা তাঁর। করতে রাজী নন। ওঁনারা চান বে দেশে দুর্ভিক্ হোক, এবং সেই দুর্ভিক্ষের রূপটা সর্বব্য হড়িয়ে দেব।

আজকে ওঁনারা বলছেন গতর্ণবেশ্টের যথ্যে corruption চুকেছে। ঠিক কথা। কিন্ত চাকরী কে করে ? corruption গতর্ণবেশ্ট না দেশের জনসাধারণ ? এখানে যে দশ বার জন মরী রয়েছেন, তাঁরা স্বাই কি এর জন্য দায়ী, না আপনাদের যে সমস্ত লোক গতর্পথেশ্ট ডিপার্ট যেপ্টে কাজ করছেন তাঁরা দায়ী? আপনারা যখন মন্ত্রী ছিলেন, তবন আপনাদের লোকও ত দুর্নীতিপূর্ণ কাজ করেছেন, এটা অস্বীকার করলে চলবে কেন ? গ্রাবের সাধারণ লোকও আপনাদের জানা ভনা লোকই ত পুলিশের দারোগা বা Inspectorকে বুদ দেয়। স্কুডরাং এই সমস্ত corruptionএর জন্য জনসাধারণ দায়ী, গতর্পথেশ্ট নর।

ওঁনারা বলছেন যে আজকে Food Departmentএর এই কথা পরিচ্ছার করে বলা উচিত ছিল যে আমরা foodএর জন্য এত করেছি। আবার অনেকে বলেছেন যে বহু লোক অনাহারে মাবা গিয়েছে এবং এই খবর Subdivisional Officer ও District Magistratecক দিয়েছেন। কিন্তু এই সমস্ত লোক মরবার আগে তাঁবা খবর দেননি।

' (Here the blue light was lit,)

নি: স্পীকাব, স্যার, আমি এখনও আমার বলবার আসল lineএ আসিনি, আমাকে একটু বেশী সময় না দিলে হবে না। অনেক কিছু বলবার জন্য আমার মনটা লাফাচেছ।

Mr. SPEAKER: আচছা, আপনি বলন।

Janab A. M. A. ZAMAN: ওঁনারা বললেন যে ১০-১২ জন লোক জনাহারে মারা গিয়েছে। কিছ 
তাঁদের মুখ পেকে ত কথনও শুনিনি যে, এতজন পরিবারকে তাঁরা রক্ষা করেছেন। তাঁবা চান যে দেশের লোক 
মক্রক এবং তাদের dead body এনে গভর্ণনেপেন্ট বিকদ্ধে propaganda করতে চান। কিছ তাঁরা কতাঁকু 
থাবার পুস্তত করে দেশবাসীকে খাওয়াতে চেটা করেছিলেন? সেগুলি একবার তাঁদের চিন্তা করা দরকার। আজকে 
সে দিকে তাঁরা কেউ যান নি। আজকে গভর্গনেপ্ট যে লক্ষ্ণ লক্ষ্ণ চাকা refugeeদের দিচেছন, আপানারা এই 
টাকা কি তাদের কাজে লাগাবার চেটা করেছেন? উল্টে তাদের নানাতাবে সর্বনাশ করেছেন। আজকে এই যে 
Socialist Party এবং Krishak-Proja-Mozdur Party refugeeদের নিয়ে ছিনিমিনি খেলছেন 
এবং বোধ হয়্মনে করছেন যে আগানী electionএ জিতে, তাঁরা নিজেদের গতর্পমেপ্ট form করবেন। 
কিছ্ক তাঁদের এই সমস্ত কথা ভাল কবে চিন্তা করা উচিত ছিল। কিছ্ক তা তাঁরা করেন নি। খালি কতকগুলি 
মিধ্যা, বাজে কথা খবরের কাগজে ছেপে লোককে পাগল করছেন এবং ভাবছেন যে লোকদের পাগল করে 
নিজেবা গাণী দখল কববেন। কিছ্ক এই পাগলবা একদিন বুঝবে যে কে তাদের পাগল করেছে। আমার মনে 
হয়্ম সে দিন আর বেশী দবে নেই।

আজকে খাদ্যের জন্য গভর্ণমেণ্ট কি করছেন, সেটা ভাল করে সকলের বোঝা উচিত। কত খাদ্য বাইরে থেকে আসছে আপনারা সকলেই জানেন। স্ক্রাং সন্ত্য কথা বর্লেই ত হয়। সকলেই ১০-১৫ টাকা মণ্ দবে চাল পাচেছন এবং তাব এক মাত্র কারণ, rationing ব্যবহা চালু আছে বলে। এটা যে একটা স্কলর ব্যবহা সে কথা কেউ বলছেন না। আপনারা সত্যিকার একবার বুকে হাত দিয়ে বলুন ত বাংলা দেশের, মধ্যে দুভিক্ষ কি এত দলাদলি করলে খুচবে? বাইবে থেকে খালি খাদ্য আনলেই কি সন হবে? খাদ্য distribution করবার জন্য যা করা দরকার সোটা আপনাব। পুত্যেকে করুন। তা না করে আপনারা খালি চেটা করছেন যে দেশে খাদ্যশস্য যাতে উৎপনু হতে না পারে এবং গ্রামের চাম্বী, মদুরদের চাকরী দেব বলে ভুলিয়ে সহরে নিয়ে আসহছেন, যাতে তারা এখানে এসে গত্র্গমেণ্টের কাছে বলে, "আমাদের পেতে দাও।" এই ভাবে তাঁরা গাদী দুখল করবার চেটা করছেন।

এখানে একটা গলপ বলে আমার বন্ধবা শেষ করছি। কোন একটা নদীর পশ্চিম পাড়ে এক সাধু ছিল। সেই সাধু প্রতিদিন সকাল বেলায় উঠে স্নান করে স্পত্তপ করতেন। একদিন সে দেরী করে ওঠার তাড়াতাড়ি নদীতে স্নান করছিল। এমন সময় সে দেখন নদীর পূর্বে পাড়ে আর একটি সাধু, সেও ধুব তাড়াতাড়ি স্নান করছিল। এই সাধুটি তথন ভাবন যে ঐ অপর পাড়ের সাধুটি ধুব বাহিন্দ, এবং বাবাহর আমার যত দেরীতে ওঠার ধুব ভাড়াতাড়ি সান করছে, জ্পতপ করবার জন্য। কিছ ঐ ওপাড়ের সাধুটি ছিল একজন বন্ধ বড় ভাকাত এবং এই ভাকাতিই তার ব্যবসা ছিল। সে সারা রাত জেগে ভাকাতি ক'রে এখন সকাল বেলায় সাধু সেক্তে সান করছে আর মনে মনে টাকা গুণছে। সে ভাবল ঐ পশ্চিম পাড়ের সাধুটিও আরার মত একজন মন্ত বড় ভাকাত। বেটা সারা রাত্রি চুরি করে, এখন সাধু সেজে ভাড়াতাড়ি সান করছে, আর মনে মনে টাকা গুণছে। কাজেই এবানে দেখা যাচেছ যে চোর, সে অন্যকেও চোর ভাবছেঁ এবং যে সাধু, সে অন্যকে সাধু ভাবছে। কাজেই এবন চিন্তা করে দেখা উচিত যে এবানে কে এবং কত সাধু আছে। বোধহম, ওঁরাও ওপারের সাধুর মত ভাবছেন যে আনাদের গভর্ণমেণ্ট চোর। ওঁনারা যদি এপারের সাধুর মত চিন্তা করতেন তা হ'লে কি করে খাদ্য বাড়ান যায় সে সম্বন্ধে চিন্তা করে কথা বলতেন। আমরা গভর্ণমেণ্ট ৪ideএ রয়েছি বলেই যে আমরা ওঁদের বন্ধু নম, এবং ওঁনারা ভাবছেন যে আমরা অন্ধের মত Governmentকে support করব কিন্ধ, তা নম। স্থতরাং চাম্ববারুর যে পুন্তাব তা ঠিক কার্য্যকরী নম। এই পুন্তাবটা আনবার আগে তার একটু চিন্তা করা উচিত ছিল।

(Here the red light was lit.)

(Sj. SIBNATH BANERJEE: আপনার লালবাতি জলল।) আপনাদের আগেই জলেছে।

8j. NISHAPATI MAJHI: মাননীয় স্পীকার মহাশয়, সরবরাহ বিভাগের প্রাপ্তণন মন্ত্রী শুদ্ধেয় চাক্ষচক্র ভাগুরী মহাশ্য় যে প্রন্তর বাদ্য বিষয়ে এবানে উপস্থিত করেছেন, তার মূল বিষয়টী হচেছ্ এই যে ২৫১ টাকার বেশী চালের দর এই পশ্চিমবঙ্গের যেখানেই আছে এবং যেখানেই খাদ্য মূল্য ক্রত বৃদ্ধি পাচেছ্ সেই সব স্থানে পূর্ণ খাদ্য রেশন পুবর্ত্তন করা হোক। তাঁর এই পুস্তার আন্ত সত্তাই অনেকের কাছে চিন্তার বিষয় হয়ে দাঁড়িয়েছে। অনেকেই ভাববেন যে যেখানে বাদ্যের এইরূপ গুরুতর পরিস্থিতি সেধানে কেন এই পুন্তার গাতর্পনেণ্ট সমর্থন করছেন না। এর উত্তরে বিনীতভাবে শুীযুক্ত ভাগুরী মহাশ্যের কাছে বোধ হয় এই নিবেদনটা করতে পারি যে এখন পশ্চিমবঙ্গে যত জিলা আছে ভাতে ১ কোটি ৭০ লক্ষ্ণ মণ্ডের কাছে চাল এবং গমজাত দ্রব্য উৎপনু হয়। যদি এই পরিকল্পনার আভাষ অনুযায়ী ১১টী মহকুষায় পূর্ণ মান্রায় খাদ্য রেশন দিতে হয় পশ্চিমবঙ্গ প্রদেশে আরো যে ৫৩ লক্ষ্ণ লোক বেড়েছে ভানের শুদ্ধ, তবে কম্ম পে কম্ম ৪ কোটি ৭০ লক্ষ্ণ মণ্ডাধান্যর দর্কার।

ষিতীয় পুশু, এখানে বিচার্য্য বিষয়,—যে গভর্ণমেণ্ট আজ ২ কোটি ৭০ লক্ষ মণ খাদ্য এই পুদেশ এবং বাইবে থেকে সংগ্রহ করে কোন রকমে খাদ্য rationing টিকিয়ে বেখেছেন, আজ সেই গভর্ণমেণ্ট কি পুকারে ৪ কোটি ৭০ লক্ষ মণ খাদ্য সংগ্রহ করতে পারবেন—এবিষয়ে যদি পরামর্শ দিয়ে কথা বলতেন নিশ্চয়ই আমবা তা' সাদরে মেনে নিতান, কিন্তু সে বিষয়ে তিনি কোন পরামর্শ দেন নাই। কেবল তিনি একটা উদাহরণ দিয়েছেন যে স্ক্লরবন অঞ্চলে জোৎদাবদের অনেকের ধবে অনেক চাল আছে। স্ক্লরবন অঞ্চলের কোন কোন কোক কচুর শাক থেয়ে আছে।

পরীব এবং দরিদ্র মধ্যবিত্ত পবিবাবেব যাঁরা, যাঁদেব ক্রমণজি অলপ, তাঁদের এই খাদ্য মূল্য বৃদ্ধির জন্য সত্যই একটু বেদনাদায়ক অবস্থা হয়েছে একথা আজ অস্বীকাব কববাব উপায় নেই। আর যাঁবা পূর্ববঙ্গ হতে এসে আমাদের পশ্চিমবঙ্গে আণুয নিয়েছেন—হয়ত তাঁদের এক একটা familyতে ১০৷১২ জন লোক আছে, তাব মধ্যে মাত্র ২৷৪ জন হয়ত তিন দিনে ১৷০ কি ১৷৷০ টাকা মজুরি পান, সে পবিবাবের পক্ষে ৩৷৪ সের চাল কেনঝুর উপায় নাই। আজকে সেইজন্যও এই সব আণুয়প্রাধীব দিকে তাকিয়ে খাদ্য বিতরণের আংশিক ব্যবস্থা করতে গভর্ণমেণ্ট বাধ্য হয়েছেন। উত্তর বাংলার এবং পশ্চিম বাংলার কোন কোন আরুলে আর কলকাতা শহরে বেশন ব্যবস্থা গভর্ণমেণ্টকে বজার রাধতে হচেছ।

বছুবর শিবনাথ বাবু বলেছেন এই খাদ্য বিষয়ে আলোচনা করা অবান্তর। কেন না গভর্ণমেণ্ট ত বোঘণাই করেছেন ২৫১ চাকার বেশী যেখানে খাদ্য মূল্য হবে—সেখানেই চাল দেওয়া হবে। এর উন্তরে বলছি যাদের ক্রমাণজ্জি অলপ, যাদের কথা উপরে উল্লেখ করেছি, তাদেব আমরা ভাগ করেছি A এবং B classa। জেলার জেলার District Magistratoরা নিজের নিজের Officer দিয়ে এক একটা তালিকা করান, সেই তালিকা অনুসারে নির্মুদ্ধের খাদ্য দিয়ে এদেশের খাদ্যের জটিল অবস্থার থীরে থীরে স্বাধান করা হচেছ। আজ এই বিষয়টা খুব পাতীরভাবে সকলেরই বিবেচনা করা দরকার—এই হচেছ আমার ব্যক্তিগত বত। "পুবাদী" পত্রিকার একটা সংবাদ বেরিরেছিল তার শেষ অংশে বেধা হরেছে পশ্চিম বাংলার খাদ্য সবস্যা এবন অবস্থার এনে পড়েছে

ৰে সকল দলের সন্মিলিত চেটা ছাড়া এর সৰাবান স্থ্যুপরাহত। আবার ব্যক্তিগত বতও ভাই। গুতোকের নিজের অন্তরকে আজ পূশ করা উচিত-খাদ্য সরস্যাকে রাজনীতির বাইরে রেখে, কে আমরা কভকখানি খাদ্য উৎপাদনের দিকে এবং সংগ্রহেব দিকে অগুসর হতে পারি। শুদ্ধের গুপ্ত মহাশয়প্ত এই কথাই বলেছেন। আপনারা বোধহয় জানেন মাঝে মাঝে আমাদের খাদ্য ভাণ্ডারের অবস্থা এমন জটিল হয় যে আমাদের ছ টে যেতে হয় যেখানে দেশে খাদ্য আছে। কিন্তু এ সম্পর্কে আমি দংখের সঙ্গে বলব আপনার। এখানে খাদ্য সম্বন্ধে আলোচনা করুন, क्खि त्रिको कत्रत्वन जामात्मत्र शामा मःशुटक वाथा मिरम नम। धनन किक् कता कैठिक करव ना यारक शामा मःशुक না হতে পারে। আমাদের খাদ্য বিভাগের অনেক Officerএর সম্পর্কে এমন ঘটনা ঘটেছে যা নাকি বলবার নয়। আমার কথা হচেছ আমরা পেশকে এমনভাবে গড়তে চাই না যাতে লোক অনাহারে থাকে। আমরা দেশকে শেইভাবেই গড়তে চাই যাতে খাদ্য সমস্যা অলপদিনের মধ্যেই সমাধান হয়। শুধ জলগেচের ছারা তা হবার নয়। খাদ্য সমস্যা সমাধানের জন্য চাই মান্ম, চাই সকলের সমবেত চেটা। আজকের এই দদ্দিনে কর্ত্তব্য হচেছ—যে যতটা পবিশ্রম করি ভার চেয়ে বেশী পরিশ্রম সকলকেই করতে হবে। আমরা খাদা সমস্যা নিমে যতটা চিৎকার করি—শেই অনুপাতে পরিশ্ম কি করি ? রবীক্রনাথের সেই যে বাণী যেখানে ধুলা মাটিতে চামী চাম করছে—পাধব ভেলে, বৌলে পুড়ে, বৃষ্টিতে ভিজে চাম করছে, বারো মাস বাটছে, সেই কাজে সকলকেই আজ যেতে হবে, কে অতটা কুরতে পুস্তত আছেন। ওদিকের বন্ধাব পর বন্ধা বলছেন, মাননীয় নেতা বলছেন, যে গভর্ণবেণ্ট কিছু ই করছেন না। আমি গভর্ণমেণ্টের পক্ষের একজন Parliamentary Secretary বলেই যে বজুতা করে আপনাদের সময় নষ্ট করছি, তা নয়, আজ চোখের সায়ে আপনারা কি দেখছেন ? এ বছর এমন জলকট হয়েছে যে পশ্চিম বাংলায় ভাল চাম হতে পারছে না। কিন্ত ময়বাকী পরিকলপনার কলে যতটা কাজ হয়েছে তাতে এবাব চার লক্ষ একর জমিতে নিশ্চিত ফসল হবে। তা ছাড়া পশ্চিমবঙ্গেও দেখতে পাবেন বড় স্কীবের প্রব্যোজন যদিও বেশী কিন্তু এখানেও ছোট ছোট স্কীমগুলিকে সংজে কার্য্যকরী করায় অনেকটা কাল এগিয়ে গিয়েছে।

ওদিকেব কোন বন্ধু বাইবে লোকদের নিমে গোলবাল করে বেড়ান কিন্তু তাদের অনু দেবার কি ব্যবস্থা।
করেছেন ? যেন তেন পুকাবেট্রা কেবল বিরোধীতা করলেই দেশসেবা হবে না, যেখানে দর নাই, সেখানে দর
দিতে হবে, যেখানে জমি নাই সেখানে জমি দিতে হবে, যেখানে শস্য নাই সেখানে শস্য দিতে হবে। আমরা
আজ ৪ বছব ধরে এই কাজে লিপ্ত আছি, তাতে আমাব যতটুকু অভিজ্ঞত। হয়েছে তাই খেকে বলতে পারি
খাদ্যের ব্যাপারে যদি রাজনীতি না চুকত তাহলে আমার দৃচ বিশ্বাস এবং সুস্পট অভিমত এই যে পশ্চিমবঙ্গে
খাদ্যের দর এরূপ বৃদ্ধি হতো না। জনমত এবং শশ্যেব অভাব দূব করবার জন্যই পুবল হয়ে উঠতো।

চালের বাজারে দেখা যায় হাজার হাজার মণ চাল মজুত ক'রে চোরা কারবার চলছে, ফলী আচিছে, আর এদিকে অসংখ্য গরীব লোক চাল পাচেছ না। এমন লোক প্রায়ণঃই চোথে পড়ে অনেকে চাল মাধায় করে বরে নিয়ে অপরকে অনুহীন করে অন্যত্র চড়া দামে বিক্রম করছে, যার পয়না নাই দে ফেল্ ফেল্ ক'রে তাকিয়ে দেখছে—এইরূপ করুণ দৃশ্য দেখেও চোঝ বুলে থাকি; কিন্তু এভাবে চলবেনা, এইসব দুঃখ দুর্দ্ধলার কথা গাতীরভাবে হুদয়ে স্থান দিয়ে আমাদের অপুসর হতে হবে। নৈলে পবিঘদে গালাগালি করা আর একদল আর একদলের নিলা করাতে কিছু লাভ হবে না। যদি আমাদের ঘরে চাল থেকেই থাকে তাহলে আমাদেরই ভাই বেতে পাবে না এইটা মনে মনে উপলব্ধি করে কার যবের কতটা ধানচাল আছে, কার দৈনিক কতটা পুয়োজন আন্ধ কযে বার করে, আমাদের কালে অপুসর হতে হবে। আন্ধ কমে দেখে যতটা পুয়োজন ততটাই আমাদের সংগ্রহ করতে হবে। আন্ধকে এখানে সকলেই আছি যদি আমর। এইভাবে চলি তাহলে আমি মনে করি আমাদের আর উৎপাদন বা সংগ্রহ নিরে বিলান্ত হতে হবে না।

আমি আর আপনাদের বেশী সময় নেব না। এর পরে মাননীয় খাদ্যমন্ত্রী মহাপার আরো আনেক মুল্যথান তথ্য দিয়ে আপনাদের খাদ্যের অবস্থাটা বোঝাতে পারবেন। আমি জানি এ দেশে যে সব কাল হরেছে, তাহার। কতটা পুতিকার হয়েছে। আলকে আমরা ১৯৪৩ সালের ও তংপরবন্তী যে ভ্যাবহ দুভিক্ষের জন্য আত্তিত হয়ে উঠেছি, বার বর্ণনা দিলে বলতে হয় "গাছের পাতা পর্যান্ত ছিল না"—-সেই দুভিক্ষেরই সমুবীন হয়ত হতাম যিদি আমাদের জাতীয় গতর্পবেণ্ট না পুতিষ্ঠিত হতো এবং শন্য সংগৃহ না করা হতো। হতে পারে আলকে চাঙ্গনাৰু বিরোধী দলে, কিছ একদিন ওঁরা সবাই ছিলেন উৎপাদন করার দিকে। আল তাঁরা দেশের কবা ভূলে রাজনীতির ভক্ষবেব হরেছেন। আলকে তিনি ভিনু আসনে হয়ত বলেছেন, কিছ একদিন তিনি আমাদেরই মন্ত্রী ছিলেদ

ভাবন বুত ছিল কি করে আনু দিয়ে বেশের লোকের শক্তি বাড়ানো যার, কি করে দেশের লোকদের শিক্ষিত করে তোলা বার ও দেশের নবলন্ধ স্বাধীনতাকে সফল করা যার। সেইজন্য আবি বনে করি আজকে নানা বিধরের আলোচনা করলেও এ সফল বিধরে যখন আজও আবরা এক যত, এবং অনেকটা একই পথ যখন আজও আবাদের রয়েছে তখন আমি সবিনয়ে নিবেদন জানাচিছ আহ্বন আমরা গ্রামের শন্ত মাটিকে উবর্বরা করে তুলি, স্কুজনা স্কুকনা করে তুলি। এই হচেছ আযার আপনাদের কাছে নিবেক্ষ। আমি আবারও বল্ছি, আহ্বন গ্রামের প্রাণপুতিষ্ঠা করি এবং বাংলাদেশকে "সোনার বাংলায়" পরিণত করি।

শুছের চারুবাবু যে পুস্তাব এখানে এনেছেন যুক্তির দিক ও অন্যান্য সকল দিক বিবেচন। করে দেখা যায় তার কোন পুরোজন নাই।

8j. KANAI LAL DE: মাননীয় সভাপাল মহোদয়, এইসব গালতরা কথা তল্তে বেশ ভাল লাগে।
তিনি যেভাবে দেশের খাদ্যসমস্যা সমাধানের যুক্তি দেখিয়েছেন তা তাঁর সমাধিত সরকারের গত ৪ বৎসরের কার্য্যানলীতে পুমাণিত হয়েছে। আদ্ধু দেশে ভয়াবহ খাদ্য অনটন উপস্থিত; কারণ, বছ জায়গায় নাকি ভাল ফসল
হয় নি। কিছু আমি তাঁকে জিঞ্জাসা করি গতবৎসর ভাল ফসল হ'লেও বছ জায়গায় ৮০ টাকা পর্যান্ত চা'লের দাম
উঠেছিল কেন ৮ তার কারণ আর কিছুই নয়, একমাত্র এই সরকারের অব্যবস্থার ফলেই এটা হয়েছিল।

আজকে দেশের এই খাদ্যাবস্থার জন্য দায়ী সরকারী ব্যবস্থা। তাঁরা খাদ্য সম্বন্ধে যে নীতি অবলম্বন করেছেন তাতে কোন সমাধান তো হবেই না. বরং ক্রমে ক্রমে খাদ্যের অবস্থার অবনতি ঘটবে। ময়রাক্ষী, দামোদর ইত্যাদি ৰ্ভ বড় পরিকলপনার কথা ব'লে লোককে সান্ত না দেন, ''এই তো হ'য়ে যাচেছ তোষাদের ব্যবস্থা, এই পরিকলপনা-গুলি শেষ হ'লে দেশে জার জভাব থাকবে না।" ধংগনবাব বলেছেন Control রাধা প্রয়োজন। Control श्रीका नरसंख वह स्रायंगीय १०।৮० होका नरत होन विक्री टरहा। এই Control व्यवसात करन यात्रा छे९भामन করে তারা বেশী দামে চা'ল কিনে খাচেছ, আর কলকাতার লোক ১৭ টাক। চাল কিনছে। এই তো হ'ল Control এর অবস্থা। এই যে কলকাতা সহরে Ration দেওয়া হচেছ তা থেয়ে কি লোকে বাঁচতে পারে? লোকে বাধ্য হ'মে চোরাবাজারে ১॥০/১५০ টাকা দিমে চা'ল কেনে। এঁরা বলেন দেশে চা'ল নাই, কিন্তু এইশব চাল আসে কোপা থেকে: টাকা থাকলে যে কোন পরিমাণ চাল কিনতে পারা<sup>\*</sup>যায়। আজকে আমরা দে<del>খ</del>তে भारे नियानमञ् रहेनत्तर जार्ग भार्ग देवठेकथाना वास्त्राद्ध जनःश्वा नवनावी हा'त्नव वस्त्रा नास्त्रिय विक्री कद्धा এই হচেছ Control রাধার ফল। অন্য কোন গণতান্ত্রিক দেশে হ'লে তাঁদের এই অব্যবস্থাব জন্য দেশবাসীর নিকট কৈফিয়ত দিতে হ'ত এবং সাজাও পেতেন। খাদ্য নিয়ে রাজনীতি না ক'রে তাঁরা যদি প্রকতই চাষীকে খাদ্য উৎপাদনে উৎসাহ দিতেন তা'হ'লে আজু খাদ্যের এই অব্যবস্থা হ'ত না। আমরা খাদ্য নিয়ে রাজনীতি করতে চাই না। Control, Permit, Licence দিয়ে তাঁর। খাদ্য নিয়ে বাজনীতি ক'রে কতক লোককে ছাতে রাখছেন। জনসাধারণের জন্য তাঁদের দরদ নাই। তাঁরা বলেন দেশে দুভিক্ষ নাই, কোন অভাব নাই; আমি তাঁদের challenge ক'রে বলুছি আমার সঙ্গে চলুন, কত লোক না বেতে পেয়ে মৃত্যুব দিকে এগিয়ে যাচেছ দেখিয়ে দেব। কিন্তু তাঁদের সে সাহস নাই। এদিকে আপনারা চিনির Control রেখেছেন, ১৫ আনা সের বিক্রী করছেন। এদিকে বাল্লারে ১০০ সের বিক্রী হচেছ। চিনি যদি বেশী হ'মে থাকে তবে Control তলে শিন। এঁদের বন্ধু Bombayর মন্ত্রী নির্বাচনের জন্য কাপড় কল মালিকদের কাছ থেকে চাঁদা তুলছেন।

The Hon'ble NIHARENDU DUTT-MAZUMDAR: On a point of order, Sir. Can such reflections be made on Hon'ble Ministers of other States? Their question does not arise. The honourable member is casting reflection on the Hon'ble Ministers of Bombay and the Hon'ble Ministers of Uttar Pradesh. Sir, this is highly undesirable and this portion should be expunged from the proceedings of the House and he should withdraw.

8j. KANAI LAL DE: খবরের কাগন্ত থেকেই বলছি। আল পর্যান্ত তার কোন পুতিবাদ হয় নি।

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, the honourable member does not know what he is talking about. The lie direct was given to such allegations on the floor of the Parliament itself at New Delhi and he tries to manufacture things and pass on here in the absence of Ministers of other states absolutely in an irrelevant manner and this is a precedent which should not be encouraged in any way.

Mr. SPEAKER: Well, I think no aspersion should be cast over the Ministers of other States. Their names should not be mentioned.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, that portion should be expunged.

Mr. SPEAKER: That I will consider.

- 8j. 8IBNATH BANERJEE: ওধানকার কথা না হয় থাক, এধানকার মন্ত্রীদের চুরি সহছে ভাল ক'রে বলা হোক।
- Sj. KANAI LAL DE: স্যার, আবি না হয় আবাদের মন্ত্রীদের কথাই বলি। আবাদের মন্ত্রীরা বছ লক্ষ মণ চা'লেব হিসাবই দিতে পারেন নি। এই চা'ল যদি নষ্ট না হ'ত তা'হ'লে আমাদের দেশে খাদ্যাভাৰ হ'ত না। Procurement করাব সময় শতকরা ১০ ভাগ wastage হয়, কিন্ত আমরা জানি আমাদের দেশে যদি শতকরা ১০ ভাগ ফলন বাডান যায় তা'হ'লে আমাদের দেশে ঘাটতি থাকে লা। কিন্তু এত যে waste হচেছ সেদিকে তাঁরা একদম দৃষ্টি দেন না। একট ভাল ক'রে অনসন্ধান করলে দেখতে পাবেন যে বছ per cent. waste হচেছ। কিছ Government এখানে গৰ কিছ ধানা চাপা দিয়ে বলছেন যে, মাত্ৰ 10 per cent. waste হচেছ⊥ এই যে 10 oper cent. wastage হচেছ, সেটা যদি বন্ধ করা যায় তা হ'লে তাঁরা যে আছ करघ हिनाव प्रश्रियाङ्ग, তাতে श्रीपात चलाव इय ना। श्रीमा উৎপामन ना वाफ़िया, श्रीन प्राप्त Control পথা চাল রেখে, কোন স্মন্থ ব্যবস্থা করা সম্ভব নয়। সরকারকে বৎসরে ৫৬০,০০০,০০০ মণ ধান চা'ল কিনতে হয় এবং তার জন্য আমাদের সরকারকে ৪০,০০০,০০০ টাক। দিতে হয়। এই ধান চা'ল কিনে তাঁরা বেশী দাকে বিক্রয় করেন, তাঁবা এই ধান চাল ৪॥০ টাকা পর্যান্ত margin রেখে বিক্রয় করেন। আনা-নেওয়ার খরচ মণপুতি আট আনার বেশী পড়ে না অথচ আমাদের সরকারের ওকমণ চালে পায় ৪ টাকা করে খরচ পড়ে। চারবাধ ক'বে তাঁব। আনা-নেওয়া করেন, তিন বাব ক'রে বন্ধা বদলান এবং তার জন্য wastage ইত্যাদিতে বছ খবচ পতে যায়। (Here the blue light was lit) স্থতরাং আজ এই বাংলা দেশে যে এক ভরাবহ অবস্থার সৃষ্টি হয়েছে তার হাত থেকে পরিত্রাণ করবার ভার বাংলার সরকার নিয়েছেন এবং এখন ডাদের কর্ত্তর্য এর একটা স্কুৰ্চ সমাধান কবা। তা যদি তাঁরা না করতে পারেন, জনসাধারণকে না খেতে দিয়ে খেৰে ফেলেন তা'হ'লে তাঁরা মন্ত্রীমের গদি ছেড়ে দিন, কারণ তাঁবা গদিতে বলে জনসাধারণকে মারতে পারেন না।

মাটিতে যে গাছ থাকে সে মাটি থেকেই রস টেনে নেয়। সেইরকম আপনাদের Control চালু রাখার ফলে জনসাধাবণ পুয়োজনীয় জিনিস কিনতে পারে না। এই রকম একটা অসকত পূথা চালু রাখবার আপনাদের কোন অধিকাব নাই। স্থতরাং আপনারা হয় এই Control সম্পূর্ণ তুলে নিন, আর না হয়, সকলে যাতে খাদ্য পায় তার ব্যবহা করুন।

Sj. RAJANI KANTA PRAMANIK: On a point of personal explanation, Sir.

Mr. SPEAKER: जाठका वनुन,।

Sj. RAJANI KANTA PRAMANIK: আমার নামটা এখানে উল্লেখ হয়েছে। পূর্বের্ব্তী বন্ধা কানাইবাবু বলেছেন যে একটা Committee formation হয়েছিল এবং আমি তার সভাপতি ছিলাম। এর reportটা আমি নাকি ধামাচাপা দিয়েছি। এ বিষয়ে আমি এই Assemblyতে পূর্বের্ব্ব একবার টুল্লেখ করেছিলাম, তিনি হয়ত সে কথা ভুলে গিয়েছেন, অথবা মনে থাকলেও সেটাকে চাপা দিয়ে অসত্য কথা বলেছেন। তথন বলা হয়েছিল যে এ বিষয়ে রীতিরত enquiry হয়েছে এবং report ধামাচাপা দেওয়া হয় নি। তাঁরা বলুছেন যে 10 per cent. wastage হয়েছে কিছ সেই reportএ দেখান হয়েছে যে 2 per cent.এর বেনী loss হয়নি। এবিষয়ে Assemblyতে পূর্বেই উল্লেখ করেছি। স্কুতরাং আমার মনে হয়, তিনি সব কিছু জেনে-ভনেও আজকে এই কথা বলছেন, এই সত্যকে চাপা দিয়ে অসত্য ভাষণা দিছেছন।

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Mr. Speaker, Sir, I thank the honourable mover of this Resolution for giving this House an opportunity to go fully into the question of food problem in the State. I

am sure that the Hon'ble Food Minister will take this opportunity and everybody must be waiting to hear him to give this House a full idea and a real picture of the food position in the State. Before anyone takes up the consideration of the food problem in West Bengal, one must realise that apart from the general post-war difficulty in respect of the food problem in India, in common with most countries in the world, there have been other factors upsetting our economy. There have been most unprecedented factors which have put a strain on the food resources of the State, as happened never before in history. I think honourable members of this House representing the unhappy people of this truncated Province of Bengal should rise to the height of their responsibility in realising that they are out to grapple with a difficulty which is of historic importance and of which there is no parallel in human history. It is in that view I think that honourable members will realise, as our country men do desire at their bitter cost, that food should not be made a question of party politics, and I think whatever may be the urges for securing election victories it will be dengerous and undesirable to toy with the problem of food or to try to make political capital out of it. They will be sowing the wind out of which they will have to reap the whirlwind, if they play with the question of food with a view to gain political advantage out of it. Sir, it is known to what an unprecedented proportion the non-producing population of West Bengal has increased—the proportion of population that does not produce any food but need their daily grub. The increase has been forty per cent. Not even by Aladin's magic lamp could the food production be increased by that percentage in conditions under which we are living. The State and the people are undoubtedly passing through difficulty owing to food shortage. The difficulty is there undoubtedly, but I think there is this consolation that Bengal and the people of Bengal have been fortunate to be able to avert that spectacle of famine as we witnessed in 1943. The upsetting of the economy was not there at that time to the extent to which it exists today, and the conditions today are far worse than they were in those days. Even so the famine was not averted because there was a hearless alien governing power ruling this land. Through the grace of Providence, with the formation of a National Government, it does not matter whichever group may be in power, confidence has been aroused in the mind of the people. It has been possible for the Government to avert a famine the spectacle of which we saw in 1943. It would not be out of place here to recall that soon after the National Government came into power for the first time in West Bengal, not with the Leader of the present Assembly but with Dr. Ghosh at the head of the Government and the honourable mover of this resolution as the Food Minister, there was a time when the food ration had to be cut down to the extent of rice cereal being reduced to three chittacks per head per day. That was a difficult time and a difficult and bold measure had to be adopted in order to avert the difficulty and a worse aggravation of the food problem. There were people who at that time tried to incite and instigate our unhappy miserable populace in the industrial areas and elsewhere wanting them to demand a restoration of the ration cut. There were people who even urged them to resort to strike in order to compel a restoration of the ration cut.

But that situation had been boldly met. We had to face the situation. When an appeal was made to the people whose ration had been cut either to share in times of scarcity and difficulty one man's normal food with three men on rationing principle in order to avert famine or to eat full stomach so that at the cost of one man's food two men might perish, our people instantly responded. Those men of ill-will, who were interested in the suicidal propaganda, came forward and urged that even in British times food ration had not been cut down to eight or nine chataks per head per day, but the Congress Government of Dr. P. C. Ghosh had cut it down to three chataks of rice a day. We did then go forward and ask the people that those evil-minded men of ill-will were propagating those comparisons to conceal the truth that while in 1943 those who were getting rations got 7 or 8 or 9 chataks a day, fifty lakhs of men, women and children perished at that time and there was not even a single word of protest whatsoever at that time from those men. Even the Famine Investigation Commission expressed surprise that there was no revolt against famine and famine conditions. When we cut the ration we posed the question before the people: it is your National Government and the Congress Government that in the face of this difficulty has come forward and asked each person to share his normal food as between three of his fellowmen so that one might remain half-starved in need, but at least famine might be averted; and when you reap your next harvest you will have your full meal, but you should for some time at least remain half-starved in order to tide over the difficulty. And we saw that people responded and realised that it was criminal in those circumstances to demand restoration of the ration cut and they were content to face hardship cheerfully as a national duty to be satisfied with less food.

There again was a parallel complaint about the scarcity of cloth. This Government or rather the Government of India was accused of bringing about a cloth famine and evil men of ill-will propagated and incited ill-will against Government, but people understood that even at the cost of hardship on the score of cloth, because cloth had to be exported from India, and in exchange of that we got food to avert famine. And as soon as they were told of the real position they cheerfully agreed to a cloth ration cut so that they might save the lives of their brothers by getting food from abroad in exchange of cloth and thus avert famine. Such was the vital fact behind the scarcity of food, behind the scarcity of cloth and behind the stringent and hard methods which were adopted by Government in order to avert the repetition of the state of affairs which we had seen in Bengal. I do know that public memories may be usually and proverbially short, but historical memories may be short only at the peril of a nation which is to emerge out of a state of servitude. We are free today, but our freedom has not come with glory. Our liberty has come with tears, with the partition of the country, with families ruined and with poor people having lost all they had. They found themselves ruined in a day and had to start afresh. Those who had been running their household in the quiet corners of villages found themselves as refugees from Pakistan and it is their influx from different parts of the country that has caused a rise of 40 per cent. of the population and increased mouths to feed.

Then, again, it is well known that in Bengal there is a vast educated middle class. Unfortunately, it is a characteristic of our education that the educated strata get farthest removed from all productive activities, from production of food and other commodities. In other words, this educated strata in respect of the consumption of commodities of life become a deadweight on the rest of the community that work for production. That again is a crime and a legacy in a system of education that has been left behind from foreign rule. Therefore, there are more mouths to scatter poison against Government to misguide people rather than work with their hands in order to produce grains. There are mouths that want to eat food but will not raise even their little finger in order to produce food. We know, Sir, that in the sandy desert of Israel men and women, illiterate and educated, the teacher and the student, big men and poor men, all have combined together as a single army of producers so far as production of food and other elementary necessities of life are concerned, and they have converted that sandy desert into a prosperous agricultural colony which

has defied the red-shot eyes of the big powers surrounding them. That is an example for us, for a country like India, for an unhappy State like West Bengal to follow. It is necessary today that instead of creating a big hullabaloo for futile demonstration and inactive, passive and wasteful agitation we should rather harness our energy for production of food. The cost of production of food is a difficult matter. Whenever you try to bring more land under cultivation the cost of labour with the scarcity of food becomes prohibitive and there are my friends opposite some of whom delight in inculcating a doctrine of "want more and produce less". They work in a manner that operate against the productive activity of the nation, and yet expect that the cost of production would not be more. That is an absurd proposition. In these circumstances our friends opposite would do well if they combined together and urged compulsory agricultural labour in order to minimise the cost of food production. There have been other nations which have passed through difficult times. They inspire their own men and women and fellow countrymen irrespective of party and group affiliations to engage themselves in free productive activity for production of food. That is the law for the survival of a nation in a crisis. We have not heard as yet such a course advocated by our friends opposite. We have not heard them advocate any such thing. They have simply come forward with a bare resolution urging that something should be done where the price has gone above Rs. 25, mentioning nothing whatsoever about the food situation, in respect of cost and amount of production.

8j. SIBNATH BANERJEE: Sir, the blue light has been on for more than five minutes. It means that a warning is given that the time is going to be over and then comes the red light when only the sentence is allowed to be finished. The blue light is on just two minutes before the time-limit but in this case five minutes have passed since the blue light has been on. I want your ruling how we are to be guided in this matter.

Mr. SPEAKER: As a matter of fact I have not observed any hard and fast rule with regard to this blue light. I have used it as a warning and have allowed sometimes two minutes, sometimes three minutes and this has been allowed to members on both sides of the House.

The Hon'ble NIHARENDU DUTT-MAZUMDAR: Sir, I can assure you that I shall not deprive my friend too long of the pleasure of seeing the red light in front of his nose. In this context, Sir, I wish to point out that not a single suggestion of constructive value which may lead anywhere towards the solution of the food problem has come forward from my honourable friends opposite. That shows the utter bankruptcy of their thought and ideas.

I appeal to them in conclusion to reorient themselves with a new outlook where the question of food is concerned. Sir, I need not say more. The endeavours which the West Bengal Government have made, the imprense acreage which they are trying to bring under cultivation, the attempt to increase the yield per bigha or per acre, all that attempt will be narrated by the Hon'ble Food Minister and I shall not stand between him and the House any longer.

With this appeal I oppose this motion.

8]. BASANTLAL MURARKA: Speaker Mahodai, Sirl Jo prastao abhi Charu Babu ney pesh kiya hai, main uska birodh kerta hoon, aur isike liey khara hua hoon. Charu Babu ager is prastao ko 2 barus pahley pesh kiya hota, ya ager is prastao ko aneywaley assembly men pesh kiya hota to main unko swagat kerta. Leken jub is samai chunao shuru honeywala hai, logon men bharanti phailaney ke liey yeh prastao lia gia hai. Is

prastao ka berodh kernev sev bharanti dur hogi. Isliev main berodh kerta hoon. Sub chizon ki tezi sarey sansar men phaili huie hai, Truman Saheb bhi jahi boltey hain, aur hamarey perdhan mantari Nehruji bhi yehi boltey hain. In chizon ki tezi janewali naheen hai. Sara Sansar ek mahajudh ke darwazi per khara hua hai. Is sey maloom hota hai ke mahasamar ke liey sara sansar chizon ko rakh raha hai. Tamam chizen tezi dam men kharidi jati hain, doosri bat yeh hai ke tamam khaney ki chizen baher sey ati hain—chawal Burma sey ata hai, Gehun Australia say ata hai, makie bhi baher sey ata hai. Pahley hamarey desh men un bohut tha, leken jub sey desh ko swatantrata mili hai, sub chizon ka ana bund hogiya hai, keonke doosrey doosrey desh bhi apney faidey ke liey ûn chizon ki rakhsha kertey hain. Is liey desh men tezi phaili huie hai. Desh ke jes koney men jai-ay tezi melegi, sarey sansar men tezi hai aur iska asar Hindustan men bhi para hai. Bengal ek chota sa perdesh hai aur is men 30 lakh purb Bengal sey agaey hain. Manipur sey leken Peshawar tak hamarey Bengali bhai phailey huey they, naukari kertey they, vakil they, Doctor they, ab wah sub bhai bhi doosrey doosrey deson sey hamarey Bengal men a rahey hain. Is liev Bengal ki sankhiya itni hogaie hai ab unka raksha kerna bohut mushkil hai. .Hamarey khadh mantari ke bohut cheshta per bhi Bengal perdesh men jo tezi hai, uska kum kerna mushkil hai. Leken hum ûn birodhi bhaiyon sey appeal kerna chahtey hain, Robi Babu ke Bengal ke nam per appeal kertey hain, Vivikananda ke Bengal ke nam per appeal kertey hain, Khudiram ke Bengal ke nam per appeal kertey hain, Desbandhu Das ke Bengal ke nam per appeal kertey hain, Netaji Subash ke Bengal ke name per appeal kertey hain, ke āp log ājay aur sub milker pher Bengal ko soney ka Bengal banai-ay. Bengal ka raksha kerna sarey Hindustan ka raksha kerna hai.

Khali samalochona sey kuch naheen hoga. Ap vote ke liey jetna bhi parchar kijeay, leken janta achhi tarah janti hai, ke āp jehan logon men bharanti phailana chahtey hain. Congress ke nam per āey aur ab Congress ke perti birdesh phailatey hain. Aj hamara desh swantanter hua hai, Congress ke hath sey aur āj āp log Congress hi key perti desh men birodh phailana chahtey hain. Raja log Congress raj ke birodhi hain, zamindar log iskey birodhi hain, mill malek log iska birodh kertey hain, keonke ünko ziada tax lagega. Aj sadharan biopari bhi Congress ka birodh kertey hain, keonke Coutrol honey ki sabal wah Black-marketting naheen kersaktey hain.

Aj hamarey kuch bhai jo rasta rasta men parade kertey hain aur isterion ko julus ke samney detey hain—aur nara lagtey hain ke, "Dhan naheen dengey, jan dengey", aur doosri taraf kahtey hain ke ration kum hai. Ek taraf millon ka strike karatey hain, aur doosri taraf kahtey hain ke kapra naheen milta hai. Yeh bari lajja ki bat hai, yeh theeck naheen hai.

Main apney tamam birodhi bandhuon sey appeal kerta hoon ke is kam ko choreay. Apko desh ka bohut kam kerna hai, aur Bengal ko pher sey

soney ka Bengal banana hai.

Ap parastao laieay ke Mymensingh aur Santal Pargana ko pherti milna chaheay, to ke hamarey 30 lakh bhaion ko basa saken. Bengal ko soney ka Bengal banaiay, Bengal ko bachana hai.

Sj. ANNADAPRASAD MANDAL: মাননীয় শীকার মহোদয়, আঁজকে যে পুতাৰ বাননীয় চারুবাবু এনেছেন আমি সে পুতাবের তীবু পুতিবাদ করছি। এই পুতাবটা আনা হয়েছে একটা রাজনৈতিক পুচারের জন্য এই আমার ধারণা। আমি বর্জনান জেলার লোক, সেটা উদ্বৃত্ত অঞ্জল; আমি সাধারণত যেখানে থাকি সেটা হচেছ কালনা সহর। সেধানকার আমি একজন সাধারণ লোক। আমি আপুনাদের জানাচিছ আমাদের সেই যে উদ্বৃত্ত অঞ্জ, সেধানেই আজ ৩২১, টাকা চালের দর। চারু বাবুর পুতাব

ৰত ২৫১ টাৰার উর্চ্ছে দর হলেই সেখানে বদি আজ full ration পুথা পুথজন করা হর ডাহনে যারা চারী কসল উৎপাদন করে তারা ১৬১ টাকা দরে কিনবে, কিছ বেচবে বেশী দরে। আমি এর তীন্র পুতিবাদ করি এবং জ্যোরের সঙ্গে বনছি এইভাবে full rationএর ব্যবস্থা করা উচিত নয়। আজকে আমাদের এই পশ্চিমবজের যা অবস্থা তাতে দেখা যায় অনেক জায়গায়ই থানচালের দর বাড়ছে। আমাদের থাদ্যের পুক্ত অবস্থা না জেবে এই যে পুজাবটি আনা হয়েছে আমাদের পরিষদ সমকে, যাতে নাকি আমাদের সমস্ত দেশের অবস্থার অবনতিই হবে।

আমি আরেকটি কথা এলুছি; আমার বন্ধুগণ যাঁরা এই পুস্তাব এনেছেন তাঁরা প্রামে কুমকদের মধ্যে প্রচারকার্য্য করে বলছেন তোষরা Governmentকে ধানচাল দিয়ো না। আমি জ্বোরের সংগে বলতে পারি ৰুঘৰণাণ উপৰক্ত মল্যে Governmentএর কাছে ধানচাল বিক্রী করেছে। এরা কঘকদের ধান চাঘ না করবার জন্য প্রোচন। দিয়েছেন : তাঁরা এই ক'রে দেশের সর্বনাশ করার চেষ্টা করছেন। কিছু চামীরা জ্ঞানে তাঁদের क्या धनतन ठाएमत निष्मपनवरे गर्वनान रूप । जामात्र वकुएमत वन्एठ शांति এर करत पन छकात रूप ना । ठांताक তো একদিন গদিতে ছিলেন, স্থতরাং আজকে দেশের অবস্থা বর্ঝে দেখা দরকার। এঁরা controlএর বিরুদ্ধে ৰত প্ৰকাশ করেছেন। কিন্তু নাসিক কংগ্ৰেস অধিবেশনে control প্ৰথার সমর্থনে প্রস্তাব পাস হয়েছে। স্তব্ধ ভাই নর, সমস্ত প্রাদেশিক খাদ্যমন্ত্রীর। বিলিতভাবে এই মত প্রকাশ করেছেন যে, control রাখা উচিত। আজ যদি control তলে দেওয়া যায় তাহলে যে চাষী খাদ্য উৎপাদন করে তারা পর্বাগে মরবে। এমতাবস্থায় আমার वस्तरात्र जनताथ कति छाता यन वर्षमान जनमात्रा এको जान क'रत विरावतना के'रत एएथन। १५एमत थामा निराय রাজনীতি করা দেশের পক্ষে একটা অনিষ্টকর ব্যাপার এতে কিছুমাত্র সন্দেহ নাই। চারুবাবু যে প্রস্তাব আজ উবাপন করেছেন তা অভান্ত অন্যায় প্রস্তাব। আজ যদি তিনি মন্ত্রী থাকতেন তাহ'লে কখনই এই প্রস্তাব করতে পারতেন না। আঞ্চককে প্রত্যেকে উৎপাদন বাড়াবার জন্য উৎপাহ দিতে হবে। উৎপাদনের মনোবন্ধি ষ্টাষ্ট করতে ছবে। जानि जातको। कथा এখানে बनुएए চাই जानात बहुत्तत गःवामशत्व बात्मात वार्शाद य गम्छ गःवाम विद ছব তা সৰ সৰব সত্য নব। পৰিশেষে আৰি আৰাৰ বন্ধুদের অনুবোধ করে বনুছি তাঁর। যদি এইভাবে চলেন তা হ'লে দেশের সৰুহ ক্ষতি হবে। এই বলে আমি এই প্রস্তাবের প্রতিবাদ করছি।

8]. HEMANTA KUMAR BASU: Mr. Speaker, Sir, চারুবাবু বে পুতার এনেছেন সেটা আত্যত্ত সরল ও সোজা পুতার। এই পুতারটার উপর Government Bench সভ্যদের এভটা উদ্ধা হল কেন বুঝতে পারছি না। এতে তথু এই কথা আছে যে বেখানে ২৫ টাকার উপরে চালের দর উঠবে সেই সেই আরগার যেন full-scale ration introduce করা হয়। Governmentএর দায়িত দেশের লোককে বাঙ্কান এবং সে দায়িত উদের পালনও করতে হবে। জনসাধারণের অধিকারও আছে এটা তাঁদের কাছে দাবী করবার। যদি তাঁরা আসন ছেড়ে দেন তাহলে তাঁদের কাছে কেউ দাবী করবে না। আপের বক্তা বলে গেলেল আমরা নাকি ধান চাম করতে চাধীদের মানা করেছি। এতবড় মিধ্যা কথা কি করে যে বলা হল বুঝতে পারি না। Government বরং গরীব চাধীদের ধান জোর করে procure করছেন। জনিদার ও জোতদারদের সহযোগে তাঁরা গরীব চাধীর উপর অত্যাচার করেছেন বলেই চাধীরা আজকে ধান দিতে চার না। এই অতি সরল ও সোজা পুতাবটা তাঁরা কেন বনে নিচেছন না বুঝতে পারি না।

স্থানরবান ৫৭ সাবো বাঁধ তেক্ষে নোনা জল চুকে লক্ষ লক্ষ একর জনির ফসল নই হয়েছে। সেদিকে তাঁদের লুই নাই; তাঁরা জনিবানী-পূখা বিলোপের কোন চেটা করছেন না, কারণ শেখানে শোনা যাচেছ তাঁদের বদ্ধু জনিবারদের fishery হবে। তাঁরা সেখান থেকে চাধীদের উৎধাত করার চেটার আছেন। যত দুর্নীতি, জপকার্ব্য করছেন তাঁরা, কিছ পোঘ পেওয়া হচেছ আনাদের। আনি নিজে অনেক scheme দিরেছি, ১০ লক্ষ লোকের পূর্বপতি করেছি, বাংলা পেশের বহু জনিতে বহু চাধী ও refugee বসিয়েছি। বহু জনি পতিত পড়ে আছে, কিছ চাঘ আবাদের কোন ব্যবহা হচেছ না, অথচ বহু চাধী সেই সমন্ত জনিতে চাম করতে পুজত আছে। কারণ এদের বন্ধুদের আর্থি আবাদের।

আনি কিছু দিন পূর্বে বহরৰপুর গিরেছিলান। সেখানে দেখলাৰ ৫০টা family গাছতলার পড়ে আছে আর বড় বড় সরকারী কর্মচারীরা বড় বড় বাড়ীতে বেশ আরাবে দিনবাপন করছেন। এই ব্যাপারে আনি District Magistrested সকলে সাক্ষাৎ করেছিলান ু আনি জার দিরে বলৃছি কংপ্রেস Government বলেই এটা সম্ভব হরেছে। রাভার লোক পড়ে থাকে, আর' আপনারা গদিতে বসে বড় বড় কথা বলেন, আপনাদের লঞ্জিভ হওরা উচিত। দায়িত্ব Governmentএর, সে দায়িত্ব পানন করা না হইলে জনসাধারণের অধিকার আছে কথা

ৰনার। স্থল্যবনে যাদের ঘরবাড়ী বন্যার ভেচ্চে গিরেছে তাদের সাহায্য না দিয়ে নিজেদের দলের দেশকৈ সাহায্য দিয়ে election জিতনার চেটা করছেন। এটা সত্য কি না, আল্লন কোন্ মন্ত্রী মাবেন আমার সঙ্গে, আলি দেশিয়ে দিব। কিন্তু publicকে face করবার সাহস আপনাদের নাই। (The Hon'ble Rai Harendra Nath Chaudhuri: কোন গাঁয়ে নিয়ে বাবেন? (Sj. Charu Chandra Bhandari: আমি এক গ্রাবে নিয়ে বেতে পারি।) আপনারা শুধু বড় বড় কথা বলেন। সত্য বিধায় জনসাধারণ বুঝতে পাবে না। আজকে জনসাধারণের থাওয়া পড়ার ব্যবন্ধ। করতে হবে, না হলে তারা জোল করে আপায় করবে। আজকে চীনের দিকে তাকিয়ে দেখুন। যেখানে আগে পুতি বৎসর দুভিক্ষে লক্ষ্ম নারা যেত আজকে সেই চীন দেশে এ বৎসরের মধ্যে খাদ্যসমস্যার সমাধান হয়ে গিরেছে। তারা জনিদারী-প্রশা তলে দিয়েছে।

স্থাতরাং আমার বক্তন্য শেষ করে আমি বল্তে চাই চারুবাবুর প্রস্তাব অতি সংগত প্রস্তাব। আরো ভেবে দেখুন ২৫ টাকা দিয়েই বা বাংলা দেশের ক'জন লোক চাল ক্রম করতে পারে। এ নিয়ে ওপক্ষ থেকে ঠাটা বিজ্ঞাপ চল্ছে, এতে আমি আন্তবিকভাবে দৃঃবিত।

পরিশেষে শুধু এইটুকু অনুরোধ করব যে, দেশের বর্ত্তরান ধাদ্যাবস্থার পরিপ্রেক্ষিতে চারুবাবুর এই **অতি সংগত** প্রস্তাবটা আপন্মর। মেনে নিম্বেন।

Dr. SURESH CHANDRA BANERJI: মাননীয় শীকার মহোদয়, আনার এই পুরাব সধ্বেদ্ধ কিছু বলবার ছিল না। কারণ, আনি চেরেছিলাম যে সবগুলি পুরাব আস্থক, তারপর যেটা ঠিক হবে, নেটায় সকলে মত পুকাশ করবেন। কিছ, তা করা হয়নি। গভর্ণবেণ্ট ইচছা করে, যা হেবরবাধু বলছেন subotage করেছেন, যেন গভর্ণবেণ্ট সব কিছুতেই হাসি খেলা করছেন। বাদ্যের অভাব সম্বন্ধে কোন serious argument গভর্ণবেণ্টের পক্ষ খেকে শুনিনি। তাঁরা বালি sabotage করবার চেটা করছেন এবং বর্ধন বেবলান গভর্ণবেণ্ট এই পুরাবের আলোচনা আজ পেম করতে দিবেন না, তথন আমি বু'চারটা কথা অতি সংক্ষেপে বলব।

পূথ্যে আমি নীহারেশু দত্ত মহাপায় ও আর একজন বছু বা বলেছেন তার প্রতিষাদে বলতে চাই বে খান্য গনসাসনিবে কোন রাজনৈতিক পুচার কার্য্য চালান উচিং নর; এবং তা আমরা করতে চাইও না। আজ আমরা সরজ বিষয়টি seriously তাবে আলোচনা করে পেয় করতে চেয়েছিলার, কিছ গভর্গবেণ্ট নিজের পূর্বনতা মুখে, বাল্য সমস্যা নিয়ে রাজনীতি পুচার কার্য্য চালান হচেছ বলেছেন। আমরা ভেবেছিলার বে, মোচানুটি কথার চারুবাবু যা বলেছেন তার উপর দু-চার জন বেছর বলবার পর মাননীর মন্ত্রীসহাশর উত্তর পেবেন এবং ভারণার আলোচনা পেয় হবে যাবে। কিছ, গতর্গবেণ্ট, তাঁদের রাজনৈতিক উদ্দেশ্য হালিল করবার জন্য আজকে এতথালি শৌকারকে উপথিত করেছেন। তাঁরা নিজেরা করেন অপরাধ, আর অন্যের রাড়ে পোয় চাপান, এর চেরে লজ্জার বিষয় আর কিছু হতে পারে না। আমি আবার বলছি, আমরা তাঁদের মত কোন রাজনৈতিক propaganda করতে চাই না।

একথা সত্য যে পলুনী অঞ্চলের বহু জারগায় চালের দর ২৫১ টাকা হতে বেড়ে ৮০১ টাকা পর্যন্ত হয়েছে। It is a fact. এটাও সত্য যে, যারা জনগণের সঙ্গে কাজ করেন, তাদের নিকট স্থানরনৰ অঞ্চল ও নানা স্থান বেক বহু লোক এসে তাদের দুংব দুর্জনার কথা বলে। বর্ত্তরানে হাড়োয়া, হাসনাবাদ, জয়নগর ও কেনিং অঞ্চল থেকে বহু লোক আবার কাছে এসেছিল। তাদের বিশেষ অনুরোধে আমি হাড়োয়া খানার একটা প্রাবে বিশেষ অনুরোধে আমি হাড়োয়া খানার একটা প্রাবে বিশেষ বর্ত্তরাক এবং সেখানে বে দুন্য দেখবার তা আমি জীবনে কখনও দেখিনি। ১৯৪০ সালে বখন দুর্ভিক্ষ হয়, তখন আমি রাজসাহী জেলে ছিলাম। বাইরে দুর্ভিক্ষ চলেছে আর আমরা জেলের ভিতর থেকে ভালভাবে বেরেছিলাম। কাজে কাজেই নেই ভয়বহ দুর্ভিক্ষের দুন্য দেখবার আমার স্থবার্গ হয়নি। আমি সারাজীবন্ধ শিক্ষানাল relief ও Flood relief করে কাটিরেছি, কিছু সে দিন সেখানে নিজের চক্ষে বা দেখবার ভালার প্রাবে লেগেছে। যারা আসছে, তাদের বব্যে অধিকাংশই গাঁওতান। তারা কেনি কেটে বলছে বে বাবু, জানরা সব জনি শন্য শ্যানল করে তুলেছিলাম, বেখানে বড় বড় জকল ছিল, বাবের ও সাপের ভর ছিন, তাদের সন্দে লড়াই করে সে সমন্ত জনিকে আমরা শন্য শ্যানল করে তুলেছিলাম। কিছু আজ জনিদাররা আমানের আই জনি থেকে তুলে দিরে, তাড়িরে দিরে আমানের জনি শুন্য করে দিরেছে। আমরা ভাগচামী, আমানের আজ দেউ ভরে খাওমা জোটে না। এইভাবে না থেরে থেকে তাদের প্রার ন্যবার অবছার দেখলার। আ্বার্লির বাবির প্রারা জারাটিন বাবের থাকা। আটি না । এইভাবে না থেরে থেকে তাদের প্রার ন্যবার অবছার দেখলার। আ্বার্লির প্রাবার বাবির আমানের অবছার দেখলার। আ্বার্লির অবছার দেখলার। আমানের অব

দিয়ে কথা বিক্লচিত্ৰ না তব তাদের দিলোগা করলান, তোমাদের এই অবস্থা হল কেন ? ঠিক তারা বা ৰলেছিল, আৰি তাই বলছি, যে সরকারের ব্যাপক ধান্য সংগ্রহ এবং ধাদ্য নীতির ফলে চালের দান এত বেডে গিরেছে যে ৪০—৫০১ টাক। দিলেও বাজারে পাওয়া যায় না. আর পাওয়া গেলেও তার দায় এত বেশী যে সে লানে আমরা কিনতে পারি না। ফলে শাক পাতা খেয়ে দিন কাটাতে হচেছ এবং না খেয়ে খেয়ে আমরা মরতে ৰদেছি। জ্বিনিম্ব লাছে অথচ তারা থেতে পাচেছ না, এটা আমার কাছে অত্যন্ত খারাপ লাগলো। তারা বলছে ৰে Governmentএর ব্যাপক ধান্য সংগ্ৰহ নীতির যে নিয়ম করছে যে, যার ১৫ বিষার চেয়ে বেশী ভবি খাছে, তাদের কাছ থেকে ধান্য সংপ্রহ করা হবে ; এটা শুধু কাগজে কলমেই আছে, কিন্তু ধান্য সংগ্রহ করছে, ৰাদের ১৫ বিষা কেন. কোন জমিই নাই তাদের কাছ থেকে জোর করে। এই সমস্ত কথা তার। বলেছে বে রদিদ মাত্র তার। একবার দিয়েছে, আর এমন কি বীজ ধান পর্যান্ত কেডে নিয়ে গিয়েছে। তার কলে আমাদের বেশী দাম দিয়ে বীজ ধান কিনতে হয়। আপনার। জানেন যে এই জন্য তাদের জমিগুলি ধালি পতে ছাছে। তারা বলছে যে, আমাদের কাছ থেকে এইভাবে জোর করে ধান্য সংগ্রহ করছে কিছ আনাদের মধ্যে যার। বডলোক ছিল, যাদের পাঁচন', হাজার বিহা জমি আছে, যাদের গোলায় ধান ভরা, তাদের काइ (शंदक त्मग्रनि, जात नित्नेश गामाना गामाना करत नित्यह ।

ज्यनमानाव वरलाइन य Government officers, नव वरता वह वपरवात जारह : এটা जान जान कथा। এই সমত্ত officeres লাপচর পরিমাণে ব্য বাচেছ। যারা বডলোক, যারা ব্য দিতে পারে, তাঁদের ধান তাঁর। নিচেছন না কিন্তু যার। গরীব লোক যদ দিতে পারে না, তাদের কাছ থেকে জ্বোর করে ধান কেতে নিয়ে যাচেছ। এই হল স্ত্যিকারের অবস্থা। আমি স্বচক্ষে স্ব দেখে এসেছি। আমি তাদের জিজ্ঞাসা করেছিলাম বে. ভাই. তোমর। ১৯৪৩ সালের দভিন্দের সময় কলিকাতায় গিয়েছিলে কিন্তু এবাব যাচচ না কেন ? ভার উন্তরে তারা বলে যে. এবার কলিকাতায় আমরা যাবে। না কারণ গতবার কলিকাতায় গিয়ে লোকে না খেতে পেরে মারা গিয়াছে, Government তাদের খেতে দিতে পাবেনি। সেই জন্মই আমরা কলিকাতায় যাবে। না। (The Hon'ble Niharendu Dutt-Mazumdar : এত চেটা করেও তাদের কলিকাতার আনতে পারলেন না ? ) চেষ্টা করতে হয় না। তারা নিজেরাই আমাদের কাছে আসে। মন্ত্রীমহাশয়রা তা ভানতে পারেন দা কারণ তাদের কাছে তারা যেতে পারে না, বাডীতে sentry থাকে বলে ; আমাদেব বাডীতে তো আর sentry পাহারা থাকে না, তাই তারা আমাদের কাছেই আবে। আমাদের জনগণের সকে সম্পর্ক রাখতে হয়। জালের কাছে জিল্ঞান। করলে তারা বলে, বাবু এবারের দুভিক ১৯৪৩ নালের চেয়েও বেশী আরম্ভ হয়েছে। ১৯৪৩ সালে যখন লোকে না খেতে পেয়ে কলিকাতায় আসতে আরম্ভ করেছিল তখন পথমে তাদের সম্বন্ধ Btatosman কাগজাই লেখা আরম্ভ করে। আনরা তখন জেলে ছিলান, এবং লক্ষ্য করেছিলান যে কোন দেশী পত্রিকার এ জিনিম প্রচার করেনি। আজকে আমাদের এই দেশী Governmentও সর্ব প্রকার দত্তিককে क्टर मिए कारक । Dr. Roy गमछ कि इ स्नातन जन् जिन नगरक ता, ना ; लाटक वा त्थर प्रति ৰবছে না। কাজে কাজে এই অবস্থার আমরা রাজনীতি প্রচার করতে চাই না, Governmentএর কাছে এখন আৰাদের পুশু যে জাঁরা এই অবস্থায় কি করতে চান ? চারুবাবু যা বলেছেন, তা অতি ন্যার সঞ্চত কথা। Governmentes नागीरक जात्नज त्थरिक निरक करत। ठाक्रवावु त्य statutory rationinges कथा ৰলেছেন it is practical. কিন্তু Government তার কিছুই করছেন না। নিশাপতি বাব একটা কথা ৰলেছেন, অবশ্য এই বরের মধ্যে নয় 'লবি'তে বলছিলেন, যে চরযদুবটিতে যে সমস্ত বাস্তহারা ছিল তাদের কি ছ'ল ? আমি যখন তাঁকে এই কথা জিজাসা করলাম কি আর হবে। ডাঃ রায় কলাদী নগর করছেন। শেখানে চারশত পরিবার নিজেদের চেষ্টায় করে খাচিছল, সেখানে গভর্ণমেণ্ট সহর তৈরী করবেন বলে তাদের ডাভিরে মরুভমিতে পাঠিয়ে দিয়েছেন, সেখানে তারা না খেতে পেয়ে মরছেন। গভর্ণমেণ্ট কেন্দ্রীর সরকারের কাছ থেকে কোটি কোটি টাক। পাচেছন, তা দিয়ে তাঁর। সহর তৈরী করছেন, অথচ দেশে লোক না খেতে পেরে মরছে। আপে তাদের খেতে দেবার ব্যবস্থা করে, তারপর ঘর, বাড়ী, সহর, রাস্তাঘাটের ব্যবস্থা করা উচিং। এইগুলি নিশাপতি ৰাঝি ৰহাশন খব যক্তি শংগত ভাবে বলেছেন। ডা: রায় যে ১২ কোটি টাকা পাচেছন তা দিয়ে যদি দু একটা কাপড়ের কল তৈরী করেন, তাহলে সেখানে বহু লোক কাজ করে নিজের সব ঠিক করে त्नरव । তা, सः करत গভर्ণरम° । नव होका त्राख्या वाहे, यत वाही निर्मान कार्र्या वाह्य करत स्क्लाइन । এ**थन** ৰা বলতে যাচিছ্লাম Governmentএর এই বে bad procurement policy এই জিনিঘ নিয়ে অনেক আলোচনা করেছি ও বহু statementও দিয়েছি। এই statementএর facts and figures may be correct or may be incorrect সে সময়ে পত্পবৈশ্চ অন্ততঃ একটা ≱ত পুনান করুল। গতপ্নেপ্টের যে সময় statements কলিকাতার সময় খবরের কাগজে বেরিরেছে বা তাঁর যে বজুজা Radioco দিয়েছেন তার মধ্যে আমার পুশের উত্তর পাইনি। গুরু গালাগালি করলেই উত্তর দেওরা হয় না। প্রাবে ধানচালের অভাব নেই, চাকা দিনেই তা পাওুয়া যায়।

একখা ঠিক যে গ্রামে গ্রামে এখনো চাল ধান আছে, ধনিকদের গোলায় এখনো ধান পাওয়া যায়। দাব দিলে গ্রামে ধান পাওয়া যায়। কিন্তু জিনিমের দাম বেড়েছে, এবং কেন বেড়েছে তা **জাগেই বলেছি।** গভর্ণমেণ্ট officersদের সঙ্গে ব্যবস্থা করে ধনীরাই এটা করছেন, এবং তার ফলেই আজ artificial inflation হয়েছে। এখন গভৰ্ণমেণ্ট কি করে, এটা tackle করবেন ? আমি বলেছি যে গভর্ণমেণ্ট এটা ঠিক করতে পারবে না সে Government must go. গভর্ণমেণ্ট লোককে খেতে দিতে পারে না তার এক মিনিটও গদিতে থাকার অধিকার নাই। আমি বলব যার। পারবে তারাই থাক। যে ছেতু ৩০।৪০ টাকা দিয়ে লোকে চাল কিনতে পারে না, এবং যে হেতু হাজার হাজাব লোক না খেয়ে মরছে সেই জন্য Governmentএর উচিত statutoryএব ব্যবস্থা করা। কোথা থেকে ধান চাল আসবে—বা কোথা থেকে টাকা আসবে—that is not our look out. বেহার দুভিক্ষের সমুখীন হয়ে যেখান থেকে পেবেছে চাল এনেছে। তাঁরা স্বীকার করেছিলেন যে হাঁ আমাদের দুভিক্ষের অবস্থা। বেহারের মন্ত্রীরা চেঁচামিচি করেছিলেন, এবং অবস্থাটা ছাপান নাই, লুকান নাই। আর আমাদের গভর্ণমেণ্ট বলছেন—না, আমাদের কিছু হয় নাই। বেহারের গভর্ণবেশ্ট পুকৃত অবস্থা উদ্বাটন করে কেন্দ্রীয় গভণমেণ্টের সাহায্য আদায় করে দুভিক্ষকে ঠেকিয়েছেন, আর আবাদের গভৰ্ণমেণ্ট নিজেৱা চেপে যাচেছন, কিন্তু জামরা যখন সে বিদয়ে দু একটা কথা বলি তখন বলেন, তৌৰত্বা मिथा। propaganda कत्रक्। ना त्थरम लांक मज़रल, तम कथा यपि तक्छे छेरानुध करत-- छाँबा वरण वरणम ''না খেয়ে কেউ মরেনি, তোমরা মিধ্যা কথা বলছ।'' এইভাবে সৰ জিনিমটাকে ধামা চাপা দিচেছুন। **আমলা** তা মানব না, যতক্ষন আমর। এখানে আছি ততক্ষন আমরা প্রতিবাদ করবই।

তাই চারুবাবুর পুস্তাবটা খুবঁই সমীচিন। এবং আমরা বিশাস করি যে এটা করা যায় যদি কোন plan থাকে। এখনো যদি corrupt officeদুগুদের সরিয়ে দিয়ে যাদের হাতে ধান আছে তাদের কাছ থেকে ধান ৪০াহে করা হয় এবং যাদের নেই তাদের দেয়া হয় তাহলেও একটা ব্যবস্থা হয়। আপনারা ধনীদের মন্ত্রী, ধনিকদের দিকেই তাকিয়ে থাকেন শুধু তা না তাকিয়ে যদি জনগণের দিকে তাকান তাহলেই এটা করতে পারেন। কিছু তা আপনারা পারবেন না। একবার দেখুন না—এবার Assemblyর জন্য দিয়েছেন কাদের? বে মনোভাবে কিয়ে এই nomination দিয়েছেন সেই মনোভাবের ফলেই গরীবদের আপনারা মারছেন। Problem is not at all difficult আপনারা যে পারছেন না তাত দেখতেই পাচিছ। আপনাদের শাসনের ফলে হাজার লোক না খেয়ে মরছে আমাদের চোখের সামনে, তা দেখতে চান দেখিয়ে দিতে পারি। একবার আমাদের সঙ্গে চনুন বেশী দূরে নয়, (A voice : কোথায় কত দূরে?) বেশী দূরে নয়, ৩০া৪০ মাইলের মধ্যে, যদি আমার সঙ্গে যান তবে আমি দেখাতে পারি বাত্তবিকই এণ্ডলি সত্য, পূর্ণ সত্য।

আপনার। যে পারছেন না এটা অকণ্টা সত্য। স্থতরাং চারুবাদুর যে দাবী সেটা absolutely right. ধগেনবাবু যেতে পারেন, অনুদা মওল মহাশয়ও যেতে পারেন, দেখুলে সে অনুসারে কান্ধ করতে আপনারা বাধ্য।

মাননীয় নিহাবেলু দত মকুমদার বলেছেন যে আমরা কোন constructive suggestion দিই নাই। কিছু আমি বলছি আমরা বহু constructive suggestion দিয়েছি। কে না জানে যে সুল্মবন is the granary of Calcutta কিছু সুল্মবনে দুভিক্ষ কেন হয়। যদি বাঁধ ভেকে যায় এবং সমুদ্রের নোনা জল স্থানকার বাঠে চোকে। ১৯৫০ সালে যে লোনা জলে স্থালবন ভেসে গিরেছিল, তার পারে দুভিক্ষ-এর solution easy. একবার ভানেছিলান, গভর্ণবেণ্ট স্থালবনের জমিদারী নিজের হাতে নেবেন এবং বাঁধ বাঁধবেন। কিছু এই জমিদার প্রধান গভর্ণবেণ্ট জমিদারী নিবেন কি করে? কিছু আমি এটা বার বার বলছি বাংলার বাদ্যাভাব যদি দুর করতে চান তাহলে abolish the Zamindary system at least at Sundarbans. হেমন্তবাবুও বলেছেন যে লোক জলে যতই ভেসে যায় ততই দুর্গত হয়। স্বভরাং চাক্ষবাবুর প্রতাব অত্যন্ত সঞ্চত। অনুরোধ করছি সরকার এটাকে বেনে নিরে কার্যকরী কঞ্চন।

The Hon'ble PRAFULLA CHANDRA SEN: আজকে অনেকণ ধরে আবাদের চারুবাবুর প্রভাবের উপর কক্তা হচেত্, উভর পক্ষেই অনেকে অনেক কথা বলেছেন, অনেক উপলেপ দিরেছেন,

ভাৰুবাৰুর কে প্ৰভাৰ তা বাদেও অবান্তর কথা অনেক হয়েছে এই পরিষদ পৃছে। আনি ছিদেব করে দেখেছি' ভাৰুবাৰুর পুন্তাৰ অনুবারী বেখানে বেখানে ২৫১ টাকার উপর চালের দর সেই সেইখানে যদি modified বা statutory rations দিতে হয়, চাকুবাৰু বলেছেন full ration দিতে, ভাহতে চাল বা গৰই দিন পুতি মানে এক লক ১২ হালার টনের দরকার। যাদের বরে বান নাই তথু তাদের কবাই আনি বলছি। চাকুবাৰু ভারতাবেই বুঝতে পারেন, যে এই অক্টোবর ও নভেবর বাসে পুনার চাবীর বরেই বান বাকে না, আর বাপলেও কত লোকের কাছে কতটা আছে পুত্তাক লোকের বাড়ী যেয়ে ওজন করে বকরে যাচাই করা চলে না। আর সেক্তের শস্য কাকে দেয়া হবে কাকে দেয়া হবে না ঠিক করা সন্ধ্রব নয়। আমরা যদি এই নীতি পুহণ করি বে পুত্তাক লোকের কাছ থেকে তার total production নিয়ে নেব, তার যা কিছু উৎপাদন সব নিয়ে নেব, এবং সকলকে স্বানভাবে ভাগ করে দেব, সেটা অক্টোবর বা নভেবর বাসে হতে পারে না। চাকুবাবুর যা পুত্তাব তা আমরা আংশিকভাবে চালু করেছি—অবস্থা বিবেচনা করে।

বর্ত্তমানে আমাদের পশ্চিম বাংলায় ২ কোটি ৪৮ লক্ষ্য লোক আছে। তাব মধ্যে পুায় ৭২ লক্ষ্য লোককে statutory rationing আর ৫,৩৮৬,৭৩৪ জনকে modified rationingএব মধ্যে রাখা হয়েছে। চারুলাবুর হিসেবে অবশ্য আরো বেশী লোক এর ভিতর আসে অর্থাৎ ১ কোটি ৩৯ লক্ষ। স্থতরাং চাকলাবুর প্রভাবের আমরা শতকরা ৯০ ভাগ বেনে নিয়েছি। আমরা কতকগুলি জেলা খেকে যে পরিমাণ সংগ্রহ করেছি, তার মধ্যে যেগুলি নাকি ঘাট্তি জেলা সেখানে, সে জেলাগুলি খেকে যা আমরা সংগ্রহ করেছি তার চেমে বেশীই তাদের দিয়েছি। আমাদের হিসেবটা আমি সভ্য মহোদয়দের সামনে ধরে দিছিছ তাহলেই বুঝতে পারবেন কি ব্যবস্থা আমরা অবলধন করেছি। স্বয়ংসম্পূর্ণ হাওড়া জেলা—সেখানে এবছর জানুয়ারী থেকে অন্টোবর পর্যাক্ত আমরা ৮২ হাজার টন খাদ্য শ্যা দিয়েছি—

২৪-পরগণা থেকে আমরা সংগ্রহ করেছি ৫৫,৭০০ টন, আর দিয়েছি ১৫৯,৩০০ টন। হুগলী জেলায় সংগ্রহ করেছি ১০,৪০০ টন এবং দিয়েছি ৪২,০০০ টন। দাজিজলিং জেলায় আমরা সংগ্রহ করেছি ৫০০ টন, আর দিয়েছি সেধানে ২১,৫০০ টন।

তারপরে নদীয়া—আমাদের বন্ধু হরিপদ বাবুর জেলায় আমরা সংগ্রহ করেছি ২,৩০০ টন, আগ নিয়েছি ২৪,৯০০ টন।

ৰানদাতে procure করেছি ৩,৬০০ টন এবং দিয়েছি আমরা ৬,৫০০ টন। ভারপর কুচবিহার থেকে আমরা সংগ্রহ করেছি ২,৮০০ টন এবং সেখানে দিয়েছি ১১,৮০০ টন। মুশিদাবাদ জেলার আমাদের সংগ্রহের পরিমাণ হচেছ ৫,২০০ টন এবং এ পর্যান্ত দিয়েছি ১০,৩০০ টন।

একটা কথা এখানে উঠেছে যে ভয়ানক দাম বেড়েছে এবং এই দাম বাড়াব অনেকে অনেক কারণ দেখিয়েছেন। কেট কেট বলেছেন আমরা বেরাও করে রেখেছি, খাদাশস্য চলাচল হতে দিচিছ্না, এই cordon প্রথার জন্মই দর বেড়েছে, এ সম্বন্ধে আমি অনেক ভেবে দেখেছি। বর্ত্তমান অবস্থায় কোথায় কি বক্ষম দর আছে যদি পড়ে শোনাই, ভাল বুখতে পাববেন এবং উপলব্ধি কববেন আপনার। যে দৃষ্টি কোন থেকে দেখছেন সেটা ঠিক নয়।

বৰ্দ্ধমান জেলাৰ সদৰ মহকুমাম ১৭ই অক্টোৰৰ ১/০ চালের দাম ছিল ১৯। ঐ তাবিথে আগানগোলের পর ছিল ১৯।।০ টাকা। কাটোমাম ২৪৬০ আনা, কালনাম ৩০।।৮০ আনা, ১৭ই অক্টোবৰ তাবিথে বীবভূম সদরে ১/০ মন চাল পাওমা যেত ১৭ টাকাম। কাজে কাজেই এই বীবভূম জেলাকে আমবা cordon কবে বেখেছি। তারপর procures করেছি গব চেয়ে বেশী। কিন্তু সেধানে ১৭ টাকা সদব মহকুমার দর, কিন্তু বামপুর-ছাটে আবার ১৮।

वक्ष्यव । বাঁকুড়ার দর হচেছ ১৬%/০ আনা। বিষ্ণুপুরে .. ১৮∖টাকা। स्मिनीशुत्र गमस्त ১৮৫০ আনা। কাঁখিতে .. ১৬/० वाना। তৰপুকে .. २० होका। गंगित .. २०।० जाना। ঝাড়গাৰে .. ২১॥০ টাকা। পশ্চিম দিনাঞ্চপরের দর হচেছ .. २० होका। ব্যাবার রাইগঞ 8२॥० होका।

कारण कारणहे हारमंत्र पत्र procurement क्यांत नक्ष्म वा cordon क्यांत नक्ष्म रह रहराहर छा यह । अह আৰি একটা কাৰণ সংগ্ৰহ কৰেছি, সেটা বাননীয় সৰস্যাদের কাছে উপস্থিত করছি। বে বে জেলার money OPOD (वनी इद, रायन जायाक, शांह, ७७ भज्जि वन इद, राष्ट्र गर स्क्रमावष्ट शाराव वद बास्त । अवः स्व बारनंत कारे नह जनाना जिनिया का अवर मज़रीत कार वार्छ। कुठविशास अक नवह ५० होका अकवन क्रांटनंत्र पद किन । अर्थाना कोन कोन कोन्नांत्र १०. होका पत्र चारक । कहिरहारत अरु नवत्र ৮०. होका क्रांटमंत्र দান উঠেছিল।. কচবিহারে ৬ লক্ষ্ ৭৪ হাজার লোকের বাস অর্থাৎ তমক্ষ ও কাঁথি মহক্ষার চেরে কম। সেখানে লোকে ১২ টাকায় পেয়েছে। আমাদের কানাইবাৰ বনেছেন বাঁক্ডা জেলায় নাকি ৮৫ টাকা হয়েছিল; জাঁর নিশ্চরই জানা আছে বাঁকুড়া জেলায় লোকসংখ্যা ১৬ লক আর কুচবিহারে হচেছ ৬ লক ৭৪ হাজার। কুচবিহারে money crop वा প्रशानमा, यमन शांहे एक हैजापि विकी करत ৮ क्वांहै ১० नक होका श्रासकिन। अहै-নিশ্চমই আপনাদের জানা আছে কুচবিহারে ৯৯ হাজার আশুর পুার্থী আছে। ১৯৫১ শালের লোক গর্পনায় प्पथा यात्र कठिनिहादन त्यांके खनगःश्वा ७ लक १८ हाकांत खबिनानीत मत्या ३३ **हाकांत खागायभाषी. वांके** জনসংখ্যার মধ্যে ৪ লক্ষ্ ৫৪ হাজার লোক modified rationing পাচেছ। কোন কোন জারগায় ছয়তো পাব বেডেছে, কিন্তু সেটাকে তাঁরা একটা ভয়ানক ব্যাপার বনে করছেন। এটা অবশ্য স্বীকার্য্য বে, নানা রক্ষ ৰ্যাপারের জন্য সাময়িকভাবে দাম বাড়তে পারে। শিবনাথবাবু ২১শে এপ্রিল (১৯৫১ সনের) বর্থন সেধানে সিমেছিলেন তথুন ৬০. ।৭০. টাকা চালের দর হয়েছিল। এটা আনি দুচভাবে বলতে পারি চালের দর এও ছওয়া সবেও সেখানে একটি লোকও না খেয়ে মরেনি। এবং সংবাদপত্রেও এমন সংবাদ কখনো পঞ্চাপিত হয়নি যে, শেখানে লোক অনাহারে মারা গিয়াছে। তাই আমি বলছি কচবিহারে একটি লোকও না খেতে পেরে মারা গিয়াছে এমন কথা কেউ বলতে পারে না। Money crop বিক্রী করে লোকের হাতে টাকা ছিল বলেই খাদ্যদ্রব্যের মূল্য বৃদ্ধি পেয়েছিল। বর্দ্ধমান, বাঁকুড়া, মেদিনীপুর, বীরভুম জেলা থেকে ধানচাল সংগ্রহ করে আমরা কচবিহারকে protection দিয়েছি। এবং আপনারা জ্ঞানেন যে, দেশ বিভাগ জ্ঞানিত যানবাহনের জন্মবিধা থাকা সম্বেও আমরা special train করে সেখানে মাল পাঠাচিছ। আমাদের নীতি হচেছ মখনই কোন प्रकल नाम ठएए यात्र एथन जामना এकरे नानका प्रमानक कतात (ठ)है। कति। प्राप्ति भर्दर्व वर्ताह अवः अधनश्व বলছি এই নীতি অবলয়ন করার জন্য কুচবিহারের ৬ লক্ষ ৭৪ হাজার লোকের মধ্যে ৪ লক্ষ ৫৪ হাজার লোককে modified ration पिटल श्रीवा योटक्ड । े

অনেকে বলেন আমরা বড বড জ্বোতদারদের ছেডে দিয়েছি। এটা জতান্ত ভল কথা। জবশ্য জনেক জারগার দেখা যার বড় বড় জোতদাবের। procurement কর্মচারীরা যার। জাগেই তাদের stock disperse करन रकरन । त्यरे क्रमा व्यापनांना अनरन पार्क्या शरन या, जायना गम्मि अक्रो bonus declare करने । শুনলে আবো আশ্চর্যা হবেন যে, এই bonus যোঘণা করাব ফলে বডরা ও বটেই, যাদের ১০।১৫ বিয়া ছানি আছে তাবা পর্যান্ত আগহ প্রকাশ করেছে। হরিপদ্বাব বলেছেন আমরা এক বিধবার কাছ থেকে ১৪ মধ্ সংগ্রহ কবে নিয়েছি। কিন্তু তা ঠিক নয়। ব্যাপাবটা হচেছ এই যে, একজনের হয়তো ৫০০ বি**বা জনি আছে.** किन्न চাবদিকে ছড়িয়ে আছে, এकটা holdinga नारे, श्यारण २०টা গ্রামে, ২।৩ জেলাতে ছড়িয়ে আছে। ধান তো একটা industrial product নয়, এই ধানকে ঝাড়তে হয়, তুনতে হয় ইত্যাদি নানা রকম process मधा नित्य त्यरुष्ठ इस्र । ऋण्डाः इतिशननातु या तत्तर्राहन त्याते किंक नस्र, कात्रण धारेणात्व जानामा जानामाणात्व ছড়িয়ে যাবার জন্য এক সঙ্গে হিসাব কমে procurement করা মুসুকিল হয়ে পড়ে। এই হল অবস্থা। স্কুডরাং এই जनसात्र जानता यथन procurement, control वा cordon कतरा यारे उथनरे जाननारमत काह व्यास বাধা আসে। তাই এই সমন্ত জিনিম জাপনাদের একটু তেবে দেখতে বলছি। এই সমন্ত ব্যবস্থা বদি জবলছন না করা হোত তাহলে বর্দ্ধমান, বাঁকুড়া, বীরভূম, মেদিনীপুর জেলার সময় ধানচাল কলিকাড়ার চলে আগত। বর্ত্তমানে কলকাতার প্রত্যেক প্রাপ্তবয়স্ক লোক সপ্তাহে ২ সের ১০ ছটাক করে বেশন পাচেছ, আর মধ্যে ১ সের চাল, আর বাদ বাকী গম। কানাইবাবু বলেছেন Scott Lane আলে পালে রাস্তার উপর চাল বিক্রী হচেছ। কিছ আৰি বলছি কলকাতার লোক গম বাচেছ, এবং আৰি নিজেও গম খাই। ২৪-পদ্ধগণার জেলার লোকের। এক সের ১০ इतिक शव शायकः । এই जकरलव industrial area बाद जायता ७२ नक लाकर्क ration निक्रि जांत्र बरशा चढाउ: ७৫ नक लोक गांत्रा चारंग ठांन रबंख जांत्रा अबन गांत्र बारहा। ग्रवारमाठना कदा बंब लोखा। नाना व्यवस्थि कथा ना वतन चानि चार्शनात्मद अक्ट्रे एक्टर त्यवरक वनि। अट्टा क्रिक त्व, Diamond Harbourd जानता नव शाहिरविद्यान, किन्न त्ववीनकात लाक जानानुत्रण क्षेत्र जित्रह ना । किन्न क्षेत्रकार्य लाक अन्दे बाटक । जरना जानि बहा बानि त्य, अवन वर् लाक चाटक बाँएन अनात नीरह अब नात्म ना, এবং রুটী বাওরার অভ্যাস নাই। Refugeeদের মধ্যে শতকরা ৮০ জন লোক গম পার, তাদেরও রুটি (बेर्फ इटक्ट) धनः जाननात्रा जात्मन त्य, जनाजानीत्मन यात्मन W. ration card छात्मन नम्नर्गहोहे श्रम निष्ठ হর। ধনীই হোন, দশতনার বাড়ীতেই থাক্ন, কলকাতার থাকতে গেলে গম নিতেই হবে। কানাইবাব কোন জিনিমই তেবে দেখেন না, আমি তাঁকে এটা একট ভেৱে দেখতে বলছি। ডা: ব্যানাজিকেও একছে একট ভেবে দেশতে বলি, তাহলেই তিনি বুখতে পারবেন কলকাতার লোক গম খাচেছ কিনা। ডা: ব্যানাঞ্জি বলেছেন ধনীর। গর খাচেছ না. কিন্তু আমি তাঁকে জিন্তাসা করি কলকাতায় ৬২ লক্ষ্ণ লোকের মধ্যে কয়জন বড়লোক ? ভা: ব্যানাজি ও বিরোধীপক্ষের অন্যান্য বন্ধুরা বলছেন যে, ৫০ সালের দুভিক্ষের মত অবস্থা নাকি আজ *দেশে* স্পষ্ট হয়েছে। কিন্তু আমি তাঁদের বলতে পারি বাংলা দেশে দুভিক্ষ নাই, এবং একটি লোকও আজ পর্যান্ত মা **(श्रंदा बरत्रि**) थों। शि<sup>क</sup>्ठिम बांश्ला मत्रकारत्रत्र कृष्टिच बलएठ घटन या, श्रीमामममान मछ थाकी। विवाह मममात्र স্বাধান তাঁর। খুব ভালভাবে করতে পেরেছেন। আপনার। নিশাপতি বাবর নিকট শুনেছেন যে, পর্যের যে সমস্ত **क्षिरिए क्लान १७ ना मस्ताकी** ७ **नारमान्त প**तिकल्लानात क्षाना चाक राटे नमख कमिएल कलन छै९लन् ट्राइड। এই পরিকলপনাগুলি যথন সম্পূর্ণ হবে তথন পশ্চিমবাংলায় বীরত্ম, কাঁথি মহক্মা, মশিদাবাদ জেলার লক্ষ্ণ লক্ষ্ একর অনিতে চাব আবাদ হবে। বড় বড় কথা শুনতে ভাল লাগে এখনও জম্পিনারী-প্রথা বিলোপ হচেছ না हैछापि जानक कथा शाना यात्र। विदात शुर्परान एठा छित्रमाती-श्रथा छेटछ्छ दरप्राष्ट्र, किन्न छद एक जाक **শেখানে ৰভিক্ষ হচেছ। বিহারের যত অবস্থা** এখনও আমাদের হয়নি। বিহাব জমিদারী-পথা বিলোপ হওয়া गरच वानागवना। र्रीत्रयाथान कत्र ए शास्त्रित ।

জনেক সদস্য দামের কথা বলেছেন। নীতির দিক থেকে কেন দাম বাড়ে সে হিসাব করলে দেখা যায় জনেক কারণে দাম বাড়তে পারে। বছুগণ, জনেক কারণে দাম বাড়ে, যেমন, ধকন, ভাল ফসল না হলে দাম বাড়েও পারে যা নাকি হয়েছে কুচবিহার জলপাইগুডিতে। হবিপদবাবু বলেন তথ্য তাঁরা জনতে চান না; কিছ তথ্য দিয়েই আমাদের সব কিছু বিচার কবতে হবে। (Sj. HARIPADA CHATTERJEE: লোক মরে যাচেছ আর আপনার। তথ্য তথ্য করছেন।) বিধায় কথা। নিশাপতিবাবু তো আপনাব সঙ্গে যেতে প্রস্তুত আছেন; তিনি তো আপনাব জাহান করলেন দেখিয়ে দিতে কোথায় লোকুনা থেতে পেযে মরছে। হবিপদবাবু জনুন, আপনার জেলা নদীয়া। নদীয়া জেলায় লোকসংখ্যা সাড়ে এগাব লক্ষ্ক, তাব মধ্যে ৯ লক্ষ্ক ৭০ হাজার লোকক modified rationing দেওয়া হচেছ। (Sj. HARIPADA CHATTERJEE: হাজাব হাজার লোক না খেতে পেনে মরছে, আমার ভার কার পেট ভরবে।)

ৰদ্ধৰ, অনেকে বলেছেন, আনাদের এখানে শুনীযুত চাঞ্চবাবু ও জানেন যে ১৯৩৯ সালেও বাংলা দেশে খাটতি ছিল। পূর্ববাংলার কলিকাতার মত বিরাট সহর নেই, যেখানে Industrial area নয়, সেখানে তত বড় বড় পাট কল নাই। সেটা যখন বাংলার ভিতব ছিল তখনও খাট্তি ছিল। ১৯২৬ সাল থেকেই বর্মা হতে, এখানে চাল আসছে। ইন্দু ভূমণ চটোপাধ্যায় এ সম্বন্ধে একটা বই লিখেছিলেন কিন্তু তা তো আপনারা পড়বেন না শুৰু চেটাবেন।

(Sj. Charu Chandra Bhandre: সে বই আদি পড়েছি।) হাঁন, চারুবাবু বলছেন তিনি সে বই পড়েছেন, তাই তিনি অবান্তর কথা বলেননি। চারুবাবুব মত আপনারাও সকলে যদি এই বই একটু পড়তেন তা'হলে আপনাদের একটু জ্ঞান বাড়ত। এই বইতে সব কিছ খুব ভালভাবে বুঝিয়ে লেখা আছে। ছভরাং এগুলা পড়লে আপনাদের অবান্তর কথা বলতে হ'ত না।

১৯২৬ সাল থেকেই আমরা বাইরে থেকে চা'ল আমদানী করতাম। যেমন Burma থেকে দেড় লক্ষ্ণ টন এবং উড়িখ্যা পুদেশ থেকে এক লক্ষ্ণ টন চা'ল আনতাম। কিন্তু এবাব মাত্র ৩০ হাজার টন চা'ল তারত সরকার আমাদের দিরেছেন। এবানে ২৫ লক্ষের উপর refugees এসেছে। তারা মাথাপিছ বংসরে যদি তিন মণ করেও বার, তাহলে তাদের জন্য এই ৮০ লক্ষ্ণ মণ চা'ল কোথা থেকে আসবে। স্কুতরাং বালি চা'ল দাও, চা'ল দাও বলে চীৎকার করলেই চা'ল পাওয়া যাবে নাল

আবার। বছুবর Mudassir Hossein সাহেব স্বাইকে birth control করতে বলেছেন, এটা ধুব কটা করা। কিছ, আপনায়। নকলে জাঁল কথা তলে, একেনারে হাসি, ঠাটা, ভাষাসা করে উঠকেন। আন্ধানের দেশে পুতি বংসর তিন লক্ষ্ণ করে লোক্ষ্ আছিছে, আহাঁও আনাবের দৈশে তিন লক্ষ্মী পুতি বংসর হাঁ করছে। হেনত্ত নাবু আনার কথা তলে বলে বলে হালছেন, তার কারণ, উনি birth control করে কেলেছেন। ওঁনার কোন ভরের চিন্তা নাই। এই বে বছরে বছরে তিন লক্ষ্ণ করে লোক বাড়ছে, তাঁলের জন্য অন্তত: ২০ লক্ষ্য ধান পুতি বংসর চাই। এটা নোটেই অবাত্তর কথা নর। অবণ্য অবাত্তর কথা নর। তার কিছই না, কেবল-নাত্র তাঁলের একটা election stunt. তাঁরা ভালভাবাইে জানেন যে এবারকার electiona তাঁরা জিততে পারবেন না। তাই তাঁরা এই সমন্ত অবাত্তর কথা বলে বাচেছন। জেতার আশা থাকলে, তাঁরা এই সমন্ত irresponsible কথা বলতেন না। কারণ, দেখা গিরেছে বে, Churchill সাহেবের বত লোকও electionaর আগে এই বরণের কথা বলেন নি যে জনসাধারণের জন্য তিন লক্ষ্ম ব্যবাড়ী তৈরী করে দেব। তারা জানে যে His Majesty's Government এবং His Majesty's Opposition, তাই তারা কথনও কোন অবাত্তর কথা বলে না, যে কথা বলে তার সম্পূর্ণ দারিছ নিমে বলে। আমার বন্ধু কানাইবাবু তিনি জানেন যে এবার এই electiona তিনি আন্তর্ভেবে দেখুন।, আরামবাণে, নিজের constituencyতে মিটিং করতে গিমে নার শেরে কথা একবার তেবে দেখুন।, আরামবাণে, নিজের constituencyতে মিটিং করতে গিমে নার শেরে কিরে এসেছিলেন কেনং)

Mr. SPEAKER: Order, order, please.

The Hon'ble PRAFULLA CHANDRA SEN: কানাই বাবু যখন বজ্তা দেন, তথাৰ আমরা একটাও কথা বলি নি। আমাদের অনেকেই মনে করেন যে যদি কোন বছর normal crops হয়, তাহ'লেই সব হয়ে গেল, আমরা self-sufficient হয়ে গেলাম। পাঁচ, ছয় বছর আগে একবার আমাদের দেশে bumper crops হয়েছিল, ঠিক দুভিকের পরেই। তার পরের কয় বছর কত পরিবাণ চা'ল উৎপাদন হয়েছিল তার যোটামুট্ট একটা হিসাব দিছিছ দেখুন।

১৯৪৪ गाल	8२ लक्क हेन का'ल
১৯৪৫ সালে	৩৩ লক টন চা'ল
১৯৪৬ শালে	২৯ লক টন চা'ল
১৯৪৭ শালে	७७ लक्क हेन ठा'ल
১৯৪৮ শালে	৩৪ লক্ষ টন চা'ল
১৯৪৯ শালে	৩২ লক্ষ টন চা'ল
১৯৫০ সালে	৩৬ লক্ষ টন চা'ল

(Sj. Habipada Chatterjee: আপনার হিমাব ছিঁড়ে কেলে দিন। লোকে না খেতে পেরে নার। বাচেছ আপনার নণ, টনের বড় বড় আছ দিরে তাদের পেট ভরবে না। আপনি আনক আছ আরাদের ভনিরেছেন, আর আছ শোনাবেন না।) হেবত্ত বাবু ত বেশ মন দিরে ভনছেন। আর একটা কথা বলছি, আনাদের দেশে শুার দুই লক্ষ large-scale producer আছে। এদের বাড়ীতে গিরে একেবারে গাঁড়িপারার ওজন করে ধান চা'ল আনা সত্তব নর। একথা চারুবারু বেশ ভালভাবেই আনেন। এদের প্রত্যাকে বিদি বাত্র কুড়ি নণ করেও ধান চা'ল hoard করে নুকিরে রাবে, তাহলে এই সমন্ত large-scale producerদের পকে ৪০ লক্ষ নণ ধান, চা'ল hoard করে রাখা অসন্তব নর। এই সমন্ত বিষয়গুলিও সকলের আনা উচিত। খালি আবলতাবল বললেইত হবে না। গণীতে যদি বসতে চান, ভাহলে এই সমন্ত কথা ভেবে চিত্তে কথা বলা উচিত। চারুবারু যখন গণীতে ছিলেন তখন মাথাপিছু এক সের ১২ ছটাক করে ৪০৪।০ করে দিরেছিলেন। তখনত হরিপদবারুর মুখ থেকে একখা ভানি বি বে মাথাপিছু দু'সের দশ ছটাক করে দিরেছিলেন। তোলা চারুবারু আগনি গণী ছাড়ন। তার গারিছজ্ঞান নেই, তাই তিদি এই সমন্ত আবাতর কথা বলেন। (Sj. Habipada Chatterjee: আনি তখন এখালে ছিলাব না।)

Sj. CHARU GHANDRA BHANDARI: স্বাদি বখন বাধাপিছ এক বের ১২ ছটাক ব্যাদ্ধ করেছিলান, তখন প্রাবের লোক না খেতে পেরে বরছিল না। The Hon'ble PRAFULLA CHANDRA SEN: চাৰুবাৰু এখন তাত বনৰেই।

Dr. Suresh Chandra Banerji একটা constructive suggestion দিকেলে বে পশ্চিম বাংলার বে ১৪ নক্ষ একর কবি পতিত করেছে, তাকে চাবের কবিতে পরিণত করা হোক। এবং ক্ষরণ কনেকে বনেছেন বে কার্যাপের দেশের আউলের কবিতে পাট বুনে, পাটের চাব বাঙান হরেছে। এটা কতাত তুল ধারণা। আবানের দেশে দুই লক্ষ একর wasta landকে পাট চাবের কান্য নেওবা হরেছে। বেদিনীপুর কোর এ বছর আউসের চাব বেশী হরনি বটে, কিন্তু আর পাঁচটা কেলার আউসের চাব বেশীই হরেছে। বোটাবুটি আবাদের চেটার বা কনসাধারণের চেটারই হোক প্রার পুঁই লক্ষ একর পতিত কবিতে পাটের চাব বাজার হরেছে। ১৪ লক্ষ একর পতিত কবিতে বাঁরা চাব করতে বলেন, তাঁরা হর বাড়ুল, আর না হয়, উন্নাল। আবাদের পশ্চিম বাংলার বনভূমির পরিবাণ অতাত কয়। আক্রেক বাঁরা, বেধানে ২৫১ টাকার উপর চালের পর কোনেই পূর্ণ রেশন দিতে বলছেন, তাঁরা দারিম্বজানহীন। আর বাঁরা, বেধানে ২৫১ টাকার উপর চালের পর কোনেই পূর্ণ রেশন দিতে বলছেন, তাঁরা দারিম্বজানহীন। আর বাঁরা এই ১৪ লক্ষ একর পতিত কবিতে চামে আনতে বনছেন তাঁরা দেশের পক্র। কারণ, আবাদের দেশে কতেও পচিশ তাগ কবিতে forest থাকা পরকার। হরিপদবারু বৈজ্ঞানিক, তিনি এই সরস্ক কথা বুঝে, কেনেন্ডনেও, আবলতাবল, শুলব, গলন, নিখ্য থবর কিন্তুতা দেন। (Sj. Haripada Chatteria): আগনি বন সত্য কথা বলেন, না ? দুই বেলা কাটি থেকে আপনার চেহারাটাত বেণ ভাবই করেছেন। আবার birth controls করেছেন।)

जाननात में जावनाजावन वनातारेज राव ना । नविषक विरावना करत शीरत वीरत कांच कहां राव । ভাষর। বহু ভাষকে under Forest Departmentএ নিরে এসেছি। ভাষাদের বন বিভাগের बाननीय बडीयशांच्य चटनक प्रकारिक forest करन नाकना नाल करतरहरून। विभिनीभूत, बैक्छा, ৰীরভ্য, হুগলী, প্রভৃতি জেলায় যে সমন্ত পতিত জমি আছে, সেখানে বন স্থান করবার চেষ্টা হচ্ছে। যে জমিডে এতটক সবজ্ব কেউ দেখতে পায়নি, আজ দেখানে বন স্মষ্ট করা হয়েছে। আমাদের কমি বিভাগ প্রায় দুই नক हैतनंद छेशत बीमानमा बाज़ारक मक्तम शरहरह। व्यामारमत शन्तिम वाश्तास refugee व्याह्य नक्त, नक्त, এবং প্রতি বংসর তিন লক্ষ করে লোকসংখ্যা বাডছে স্মুতরাং তাদের স্বাইকেত খেতে দিতে হবে। किছ আমাদের যে খাদ্যের পরিমাণ, তার চেয়ে লোকসংখ্যা অনেক বেশী, সেই জন্য আয়াদের পক্ষে তাল রেখে চলা मञ्जब शतक ना। जातनक तक जाँएमत तक्कुणांत मरशा वरलाक्ष्म य जामारमत procurement अवर distribution এ ক্রাট আছে। কানাইবাৰ, তিনি দায়িছজানহীন, তিনি কবনই দায়িছ নিয়ে কথা বলেন না, তিনি বলেছেন যে ''আপনাদের পঞ্চাশ লক্ষ মণ চা'ল চরি হয়েছে। তিনি বলছেন পায় 20 per cent. wastageএ নই হয়েছে। কিন্ত, আপনারা জানেন যে, একটু আগেই রজনী পরামানিকবাৰু বলেছেন य जामारमंत्र two per cent. এর বেণী loss इयनि । यनि मुटे द्वांगी मन চালের মধ্যে পঞ্চাশ नक मन ठान ठ्रित रुट्स याम, जा'रुटन आमना लाकरक थाउमाहिए काशा (शटक ? आन, कानारैनानुरे ना हिसामनि দাস লেনে থাকছেন, কি বেয়ে ? স্নতরাং আজ সব দিক বিবেচনা করে আমরা এই প্রস্তাব গ্রহণ করতে পারি না। গ্রহণ কর'তে পারি না এই জন্য, যে এটা গ্রহণ করবার কোন কারণ বা প্রয়োজন নেই। অবশ্য, আসরা চারুবাবুর প্রস্তাবের মূল বিষয়ের দিকে ধীরে ধীরে অগ্রসর হচিছ। অবস্থা যেমন যেমন অগ্রসর হচেছ, আমরাও তেমনি তেমনি অগ্রসর হচিছ, এবং অধিক লোককে modified rationing প্রথার আমলে আনছি।

চাফবাবু তনুন এই (A) শ্রেণীর আংশিক রেশন দেওরা হচেছ ১,৮১২,০৪৫ জন লোককে; আর বি শ্রেণীর আংশিক দেওরা হচেছ ১,৫০৭,৫৮৯ জন নোককে; এবং সি শ্রেণীর আংশিক রেশন দেওরা হচেছ ৬৭,০৯১ জন বোককৈ। এ বংসর নোট ৫,১৮৬,৭১৪ জন লোককে modified রেশন দেওরা হচেছ। (Sj. Sibnath Banerible: আপনি তাদের যে পরিবাণ চাল দিচেছন, তাতে কি তাদের পেট তরে? আপনি কি জ্বাক্রী নাহেবের মত তাদের কেন খাওরাচিছ না। না, বোটেই না। আনি কলিকাতার লোককে কর খাইরে, গ্রাহের লোককে খাওরাচিছ। কারণ, যাতে গতবারের মত বাংলার দুডিক না হতে পারে। পশ্চিম বাংলার সকল ছানের লোককৈ খাওরাচিছ। কারণ, যাতে গতবারের মত বাংলার দুডিক না হতে পারে। পশ্চিম বাংলার সকল ছানের লোককৈ খাওরাচিছ। কারণ, যাতে গতবারের মত বাংলার দুডিক না হতে পারে। গশ্চিম বাংলার সকল ছানের লোককৈ থাতে খোরে কোঁতে পারে, তারই ব্যবহা আবরা করছি। কাকে আকেই, চাকবাবুর প্রভাবের মূল বিধরের দিকে বীরে বীরে অগ্রসর হচিছ। (Sj. Charu Chandra Bhandari: তাহলে আবার প্রভাবের দুক্তাবির বাংল নেবার কোন কারণ বা পুরোজন নেই। চাকবাবুর প্রভাব আবি আবার বাংলার বাবে বরির বাংল করের বরি এইং এটা আবি প্রভাবান করিব। খা প্রভাবান করিব।

Si. CHARU CHANDRA BHANDARI: बाबनीय न्नीकात्रवरान्य. बाबाह्मव बानाव्यी पुरुवरायुत कथा अनुनाव, अवर जिनि जारनक कथाई अनिरहर्णन ; जाह बरवा अक्टी कथा जानि जान व्यास्त नाविष्ट्रिम । जिनि वरलाइन, त्यवान १८, ठोका ठात्वव भुष्ठि वर्शव नाव, এवः त्यवान ठापीवा money crop विक्य करत करनक नांछ करहा। तथारन लोक ना त्यरत बतरह ना। छेनि स बरनाइन ९०√ होका वर्ष চালের লাব ছওরা পত্তেও কচবিছারে কেউ বরেনি। (The Hon'ble Prapulla Chandra Sen: 8 नक ७8 शक्षात्र हेन त्रशास्त्र मिरहि ।) अत हाता यपि जाशनि वसर्फ शातरान य कृहिवशस्त्र लाक १० होका চালের দান থাকা সম্বেও না খেয়ে মরেনি, তবে modified rationing করার সেখানে বে চালের শাব २७८ होकात नीरह त्नान्छ, बहा कि ? कहविद्यात्त्रत लाक, त्यथात्न ५०८ होका हालत पत्र दाला नत्तर ना, व्यर्था९ राबान्त नव ब्रिनिट्यर लाटकत क्रव-क्रवला तरत्रहा, नत राबान्त १०८ होका, ६०८ होका वा ८०८ होकार साक, শেখানে modified rationing যত্টক করেছেন, আমার প্রস্তাব অনুসারেই নাকি সে জ্বিনিঘটা করেছেন বলে ৰহীশহাশয় যে বলছেন, তাহার। ধানের দাম ক্ষেছে কিনা ? আমার ধারণ। দাম ক্ষে নাই। আমার আরি একটা কথা হচেছ এই যে, চালের দাম ৪০।৫০১ টাকা থাকায় কলিকাতা এবং জন্যান্য শিলপ অঞ্চলে বেখাদে statutory rationing আছে त्यारन ১৭,---১৮, होका मस्त्र होन भिरुष्ट्रन, अथह कनकाणांत्र लास्क्रि 🚁 - ক্ষমতা প্রামের লোকের চেয়ে বেশী, গামের লোক একধা কল্পনাও করতে পারে না যে ২০১ টাক। ৰণ চাল কলকীতার লোকে কিনে খেতে পারে না। আমার কথা হচেছ এই যে, সরকারের দায়িত্ব আছে,---२७ होका मन होन (वशारन) इत्व त्यशारन classes भग ना छत्न. A class B classes প্রশু না তলে, কলকাতার যেমন লক্ষ টাকা যার আর তার থেকে যেমন ৩০১ টাকা দর নেন না, তেমনি ২৫১ होकांव छेशंत्र पत्र रायशास्त्रहे छेठेरव, रायशास्त्र यात्र घरत होन नाहे, थान नाहे, छारक कम पारम पिन, এ**वः रा पायहा** হবে कलकाजाय या परंच ration पिरुष्ट्रन । এই कर्छवाहा चालनाता स्वरंग निन, এর মধ্যে जवास्त्र कथा एठेवात कि कात्रन जाएक, जामि विश्व ना । भटक फ्लाय जानात शरहावही टएक, यथारन statutory রেশন রয়েছে সেখানে আপনারা ১৭।।০ টাকা দরে চাল দিচেছন, আর যে গ্রামাঞ্চল থেকে আপনারা ধান চাল নিরে चांगरङ्ग, रमशार्म २७८ होकांत्र छेलव वर्षमङ एत छेठरव, छथनङ रमशार्म कम्मारम शान हान रमग्रा गर्छन्रसर्टेन প্রাথনিক কর্ত্ব্য। (The 'Hon'ble Prafulla Chandra Sen: সেইজনাই ড modified rationing করেছি।) Modified rationing ত করেছেন, কিন্তু Aকে বা পিরেছেন, Bকে ভার চেরে ৰুম দিচেছন, আর Cকে একেবারেই দেন না। আমাব পুস্তাব হচেছ irrespective of ration card শেখানে গৰাইকে full ration দেবেন। এইটে মেনে নিলেই আমার প্রস্তাবানুগারে কাল করা হবে।

তাবপৰ আমি আর একটা কথা বলছি, মন্ত্রীমহাশয় যে হিসাব দিয়েছেন বিদেশ থেকে চাল পাওয়ার সে হিসাব थवरल राज्या योग्र अज्ञारन shortage नाहै। यपि shortage नाहै, छर छैनि स्य वह छोग्रागांब নাম কবেছেন যেখানে চালেব দর ১৬, টাকা ১৭, টাকা মণ, আবার কোন কোন জায়গায় বলেছেন ৭০, টাকা, এর কাবণ কি ? এব কাবণ হচেছ একমাত্র বর্তমানেৰ Control ব্যবস্থা। আমি তাই এই constructive suggestion দিতে চাই যে, এই control ব্যবস্থা যতই ব্যাপক এবং কঠোরতর করবেন ততাই food crisis বাড়বে। যে চাল এখনো খাচেছন, সেটা গত বছরের normal crop. গত বছর ভাল চাল हरप्रकृत, रुवन सुन्तरन प्रकृत करप्रक होकान अकरनत नेगा ननाम नहें हरप्रकृत। प्राप्ति या नन्ति अते किन्न propoganda नत । जालरकरे त्यन election एटा किस जानि अकथा तात्र बात करन बर्शन भरत बर्शन আসছি যে, control যতই কঠোৰতৰ কৰবেন food crisis ভতই ৰেছে বাৰে। এ একটা vicious circle छित्री शत्रह, काँबिए ১৬, मन हालाव मत्र शाकरत, कृहविशास शाकरत १०, चात्र छात्रमध्यात्रवास থাকৰে ৪০।৪২১ টাকা, এ থাকৰে কেন? তাই খামার suggestion এই যে, control ব্যবস্থা তলে দিন, গত কর বছরের অভিজ্ঞতার আমরা লক্ষ্য করেছি, control ব্যবস্থা যতই কড়া হচেছ ভতই দেশের সর্বনাশ হচেছ। যারা সংবাদপত্র পড়ে না তাদের আপনারা চুপ করিয়ে রাবতে পারেন, গ্রাবে লোক বোবা তাদের চুপ করিরে রাধতে পারবেন, কিছ বারা সংবাদপত্র পড়ে, তারা স্বাই জানে যে, আগানী বছর food crisis জারো বাড়বে। সেইজন্য আৰি বলছি এই control তুলে দিন ও তুলে দিয়ে বিদেশ থেকে বা আনছেন, তাই দিৱে गहताकरन ७ निर्नेशकरन cheap grain shop कान। जाकरक सामग्रहातबाद जानाएम (A voice: जाक क्छ वनस्वन ?) जाबारक बांधा त्रस्वन जां, पता करत । जाबात बुह जान्तिया, बाँदे control बारका विक नेर्दा बाड अवर विराम (बंदर दा नेक नक, रकांक्र रक्ती देश बागानगा जानाइन त्यार गुरु प्राप्त क्रिया कार्य peoducing areaco না । পিরে, বদি দেই বৰ বাদ্যালয় হারা কলকাতার ও কিলাঞানকৈ 'ক্রম্ব দিনে কিল্লেইছ জন্য ahop পুলে রাবেন, তাহলে কলকাতা ও পিল্পাঞ্চলের লোকেরা হয়ত ২২, টাকা কি ২৪, টাকার কিনবে, কিন্তু তাতে প্রামের লোকের এডটা সর্বনাশ হবে না। Controlএর কলে বানুম ক্রমণা: চোর হরে বাবে জন্য দিকে উৎপাদনও ঠিক্সত হবে না। এবং যতদিন এটা না ওঠে ততদিন আমি এর বিরুদ্ধে পুচার করব, এর বধ্যে কোন রাজনীতি নাই। যদি রাজনীতিই করতাম, তাহলে প্রমানি বে ৫ নাস ময়ী ছিলাব, তখন প্রামে দিরছে। লোকের কাছ থেকে জোর করে আনবার ব্যবহায় আমি বিশাস করি না।

আরও অনেকে অনেক কথা বলেছেন। বংগন বাবু বলেছেন, আমার এই পুস্তাব নিয়ে তার সঙ্গে প্রামে যেতে রাজী আছি কি না। আমি তথু রাজী নই। এই পুস্তাব নিয়ে আমি আরও একটু বেশী অগুসর হতে পারি। আমি দিনের পর দিন, মাসের পর নাস ২৫।১০ টা করে জনসভা করি, এই পুস্তাব নিয়ে। সেখানে এই পুস্তাব কিডাবে জনগণের হারা গৃহীত হয়, সেটা তথু আমার জেলায় না, বিভিনু জেলায় গিয়ে দেখাতে পারি। এ ব্যবস্থার ফলে লোকের সর্বনাশ হয়ে যাচেছ, লোক চোর হয়ে যাচেছ। এই যে কোন জায়গায় ১৬, কোন জায়গায় ৭০, টাকা, এ ব্যবস্থাতলে দিন। এবং cheap shop খলে দিন।

মহাদ্বা গাদ্ধী থাকলে একথা আজ আমাকে কেবল বলতে হত না আপনারাত্ব বলতেন। আজকে তিনি চলে গেছেন তাই ধনিকদের আর্থের জন্য, নিলওয়ালাদের আর্থের জন্য এই control রেবেছেন। এটা মাধ্যমিক ধনিকদের উচ্চতর ধনিকে পরিণত করছে, আর দরিদ্রদের মাটীর সজে মিশিয়ে দিচেছ। স্থতরাং এই যে control এর হারা দেশের সর্বনাশ হবে। উনি মুখে বলেছেন, আমার পুস্তাব মেনেছেন। কিন্তু কার্য্যন্ত কি মেনেছেন। মুখে এক আর কাজে আর এক করবেন না।

(A VOICE: সহর যে শক্ত মাটি।) সহর শক্ত মাটিই বটে, আর গ্রাম নরম মাটি। সেইজন্য কিছু লাক'রে কথা দিয়ে ওড়াবার চেটা করছেন। তা না করে আমার পুন্ধার গুহুণ করে নৈতিক সাহসের পরিচয় দিন।

The motion of Sj. Charu Chandra Bhandari that this Assembly is of opinion that in view of the acute scarcity and abnormally high price of rice prevailing in most mofussil areas in this State, the Government should immediately take steps to introduce full-scale foodgrain rationing for all classes of people irrespective of the category of ration cards held by them in those areas where the price of rice is not below Rs. 25 per maund, was then put and a division taken with the following result:—

#### AYES-0.

Bandyopadhyaya, Sj. Pramatha Nath. Banerjee, Sj. Sibnath. Banerji, Dr. Suresh Chandra. Basu, Sj. Hemanta Kumar Bhandari, Sj. Charu Chandra. Chatterjee, Sj. Haripada. Choudhury, Sj. Annada Prosad. De, Sj. Kanal Lal. Husan Ara Begum, Janab.

# NOE8-33.

Abdullah, Janab S. M.
Abdus Shokur, Janab.
Barman, The Hon'ble Syama Prasad.
Bhatfaoharyya, SJ. Shyamapada.
Chaudhuri, The Hon'ble Rai Harendra
Nath.
Das, SJ. Radha Nath.
Dass, SJ. Kanallal.
Dolui, SJ. Harendra Nath.
Dutt-Mazumdar, The Hon'ble Niharendu.
Ganguli, SJ. Bepin Behari
Gayen, SJ. Arabinda.
Guipta, SJ. Arabinda.
Guipta, SJ. Kuber Chand.
Kazem Ali Mirza, Janab Shahibzada
Kawan Jah Salyid.
Khuda Sukhsh, Janab Md.

Mahammad Kased Ali, Janab.
Mahammad Sayeed Mia, Janab.
Majhi, Sj. Nishapati.
Mai, Sj. swar Chandra.
Maillok, Sj. Ashutosh.
Mandai, Sj. Ashutosh.
Misra, Sj. Sowrindra Mohan.
Mohammad Hoesain, Dr.
Mudassir Hoesain, Dr.
Mudassir Hoesain, Janab.
Murarka, Sj. Basantiai.
Naskar, The Hon'ble Hem Chandra.
Panja, The Hon'ble Jadabendra Nath.
Pramanik, Sj. Rajani Kanta,
Sen, The Hon'ble Prafulla Chandra.
Shamsul Huq, Janab.
Sinha, The Hen'ble Bimal Chandra.
Zaman, Janab A. M. A.

The Ayes being 9 and the Noes 33, the motion was lost.

- Dr. SURESH CHĂNDRA BANERJI: স্যার, আবাদের আর ৪টা পুজাব আছে; আমরা সেগুলি গুৰু move করব, কিছু বলব না, এবং divisionও চাইব না। সেজন্য আমরা ১৫ মিনিট সবল চাই।
- 8j. SIBNATH BANERJEE: স্যার, আমি Leader of the Oppositionএর কথা সমর্থন করে বলছি, বাকী যে ৪টা প্রস্তাব আছে শেগুলি শুধু move করা হবে। জনিদারী পুথা ও Unemployment Bill অনেক দিন থেকে পড়ে আছে, শেগুলির জন্য জার ১৫ মিনিট সময় চাই। তাহলেই এই জিনিমগুলি হয়ে যেতে পারে। আজ House ১টা পর্যান্ত চলতে পারে।

Mr. SPEAKER: Unless and until there is consent on the part of Government it is not possible to prolong the sitting of the House any longer. I have already allowed more than two hours in excess of the scheduled time so that a decision is taken on this resolution.

Now, before proroguing the House I thank you all for the assistance you have given me all this time. We are now practically at the end of the life of our House. After practically six years of its existence we are now to go to our electorate. I do hope that most of you, if not all, including myself will come back to this House (laughter). I wish you all good luck. Technically speaking the House is not dissolved, we shall meet most probably once more in the middle of February next in order to allow the new Government to have money enough to carry on till we come back to the new Assembly. We have passed through very great historical events, especially so far as our Province is concerned. When we were elected it was a united Bengal. During our regime it has so happened that we have been reduced practically to one-third of what we were before. We have also seen that lakks of our brethern have come under our care and the responsibility of this Assembly has increased to that extent.

Well, the responsibilities are very heavy for the new Assembly which is to be elected on adult franchise which is a new experiment for this country. At the same time it would be an object lesson to the whole world because such a vast election has never been held in any part of the world so far.

So far as I am concerned, I have tried my best to observe the Constitution, and subject to the Constitution and the Rules of the House as provided by the Constitution I have allowed freedom of speech to all sections of the House and I have always considered that the minority have a right to free expression of opinion. And if there has been any error of my judgment, I am confident that in your magnanimity you have been kind enough to excuse me. Once again I wish you good luck.

### Prorogation.

Mr. SPEAKER: I have it in command from His Excellency. the Governor of West Bengal that the West Bengal Legislative Assembly do now stand prorogued.

#### APPENDIX.

Farewell address to His Excellency the Covernor and his replies thereto on 31st October, 1951.

The Hon'ble Dr. BIDHAN CHANDRA ROY: Your Excellency and Mr. Speaker, we are all thankful to you for giving us this opportunity of bidding you farewell from this Province. It is with a heavy heart that we realise that you are no longer going to be the Governor of this Province. What Bengal is losing Delhi will gain. During the last three years and a half that you have been at the helm of affairs in this Province you have given us advice freely. Your attitude towards the Ministry and to the Assembly has been dignified and courteous always. Your activities so far as the work of the Government is concerned have been marked with consummate ability, straightforwardness and decorum. According to the Constitution the executive department of the State is in the hands of the Governor, and yet he is to act as a constitutional head of the State. It was with great pleasure that I have during my dealings with you found that you combined the two functions of being the head of the State while yet functioning as a constitutional Governor. You had kept in touch with every incident that happened in this Province both in the administrative sphere and in other spheres of life. You identified yourself with the people of this Province. Many a time we have received from you advice couched in a language and manner at once unobstrusive, yet deliberate and definite. I am perfectly sure that when the history of the last four years of the decline of the Governor with the Ministry will be recorded your method dealing of the Governor with the Ministry will be recorded your method of approach would be an eye-opener to other Provinces and to future Governors and future Ministries. Personally I have known you for the last twenty-seven years both as a successful practitioner of juristic art and as an administrator in a big Province. As a Governor of two Provinces in this country and as a man you have been universally liked because of the method of your approach to human beings. Sympathy, consideration and want of any form of bias for any particular caste, creed, colour or sects have made you a living personality in this Province.

I am glad, Sir, that after you is coming a Governor who is also equally a good man, a good Christian, and a good teacher. I congratulate the Government of India, or rather I congratulate the Hon'ble President for having nominated a teacher to hold the high position of the Governor of a Province. I am perfectly sure that your dossier will afford him ample opportunities for finding out how to act under difficult circumstances.

This is a very difficult Province as you must have realised—a Province which is deficit in food, deficit in clothing and deficit in housing accommodation where there is the problem of refugees. Also the aftermath of events following partition has made this Province truly a problem Province. The work of a Governor under these circumstances—I am perfectly sure everybody will realise—has been greatly difficult, and has been rendered equally difficult because of the different reactions and actions of various incidents that have happened during the last three years and a half.

Your Excellency, I wish you godspeed and wish you well in your new sphere of life. I am perfectly sure that you will be able to gain from them the same feeling of love and affection with which we regard your Excellency.

Mr. SPEAKER: Your Excellency, I wholeheartedly associate myself with every word that has been uttered by the Hon'ble the Leader of the House this afternoon. During your stay here in this Province for a period

of more than three years you have endeared yourself to the common man and nobody feels that he is meeting, when he meets you, a Governor of a Province but he feels as if you are one of them. That is the true democratic ideal which the head of the State has to put before the people, and you have done so. You have done it very successfully. Though you are going-away from this Province, I am quite positive that you will retain the memories of this Province in your heart and by occupying the seat of a Minister in the Central Cabinet you will not forget the woes and worries from which this Province is suffering. We do believe that in the new sphere of life, which is a life free from inertia and full of activity you will be able to give your best to the country which is in very great need of an administrator of your ability, your tact or wisdom, and I am quite positive that you will acquit yourself in the new sphere of life as creditably as you have acquitted yourself in the various administrative fields and also in your capacity as one of the most distinguished lawyers of this country.

I need not detain you long. You take away with you the good wishes and the goodwill of the people of this Province and I and the entire Province wish you good luck.

HIS EXCELLENCY THE GOVERNOR: Mr. Speaker and Members of the Assembly, I am deeply sensible of the great honour which you have done me this afternoon, and I am very grateful indeed to you, Sir, and the Leader of the House for the kind sentiments which you have just expressed.

I came to Calcutta as a comparative stranger but I was fortunate in starting my official life here with a great fund of goodwill which had been left to me by my illustrious predecessor whom the whole of India affectionately calls Rajaji.

The last three years have been for you and me and for the people of Bengal one of exceptional difficulty in a variety of ways for all of us. In spite of such anxieties the people of West Bengal as a whole have placed their faith in my intense desire to serve them in every way open to me and have ungrudgingly associated me with all the work carried on to promote social welfare. I am deeply beholden to them for all the opportunities of service extended to me.

We are now on the threshold of the commencement of a new era under our Constitution. The people of India will soon have ample opportunities in a free and unfettered election to choose their own representatives who would form Governments in accordance with the general national desire. Meanwhile the record of this Assembly has been one of which it has every reason to be proud. It has fully co-operated with the Government in maintaining law and order in this State even during the periods of grave emergencies. It has by suitable legislative measures completely overhauled and re-organised our educational structure from top to bottom. The Calcutta Corporation Bill is now under your consideration and when it emerges from this House it will be a great achievement.

The so-called refugee and rehabilitation problems and food problems have often engaged your attention and you have assisted Government in tackling with them to the best of our resources.

As for my place in the picture, you know, a constitutional Governor is a rather new experiment in our political history. In public mind throughout the ages position and responsibility have gone together in India. The new order of things will require a careful and sympathetic building up of some conventions.

I have always thought that the first duty of the Governor under the Constitution is to gain confidence of the people as a whole that he is anxious to promote their welfare by his own example and devotion to public service, to inspire confidence in his ministers that he is inferested in the welfare of the community and the success of sound Government policies and that while he should always be ready on all occasions to make suggestions on such information and experience as he possesses of public affairs to his Ministers he should realise that the responsibility for carrying on the Government is that of his Ministers. They are absolutely answerable to the legislature and not he, and he should only endeavour whenever occasion demands it to persuade by friendly discussion his Ministers to his point of view so that they might adopt his views as their own and if they so think fit, devise and regulate their policies accordingly. And further while a Governor should keep himself well informed of all that may in any way relate to the welfare of the community he should never even dream of interfering in the day-to-day administration of public affairs or with numerous state agencies.

Mr. Speaker, we have passed through difficult times and it may be that even more difficult times may lie ahead. May God grant us courage to face all emergencies. I pray that the relations between East and West Bengal should become again cordial and friendly so that people on either side bound to each other by so many ties may become prosperous. I pray that our present difficulties may soon be overcome by our exertions and our Constitution should begin to function in an atmosphere of peace and harmony between all sections of the community. Jai Hind.

I thank you once again.

Mr. SPEAKER: This House will reassemble and meet at 6 p.m. In the mean time we shall now go to the eastern lawn to neet in the tea party.

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